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1917.

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Choate as gathered into

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By E. S. MARTIN

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THE LIFE OF JOSEPH HODGES CHOATE

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Joseph Hodges Choate
From a photograph made in 1898
by Mrs. J. Montgomery Sears

THE LIFE OF JOSEPH HODGES CHOATE

1832-1917

AS GATHERED CHIEFLY FROM HIS LETTERS

BY

EDWARD SANDFORD MARTIN

INCLUDING
HIS OWN STORY OF HIS BOYHOOD
AND YOUTH

TWO VOLUMES IN ONE

NEW YORK
CHARLES SCRIBNER'S SONS
1927

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INTRODUCTION

The reader will promptly discover that this life of Mr. Choate is not so much a biography after the manner of Plutarch as a compilation. The chief contributor, by far, is Mr. Choate himself, whose writings, public and private, make up four-fifths, or more, of the book. His recollections of his boyhood and youth, with which the book begins, were dictated by him during his convalescence from a long illness in the early months of 1914. They stand very much as they came from his lips, for when the war came along it distracted his mind from them, and he neither went on with them nor revised what had been written.

These volumes by no means contain a complete record of his important activities, but it is hoped that by the glimpses they give of him as he passes he can be kept sufficiently in sight to follow his career. The book will serve, too, a purpose worth serving if it makes clear the extraordinary discipline and training and the power of intense application, as well as the brilliant gifts and charming nature, that made possible the remarkable public services that distinguished Mr. Choate's life, and in particular the last eighteen years of it.

I have borrowed—whenever it could be done to advantage—from newspapers, commentators, and eulogists. A series of scrap-books, kept for forty odd years and covering more or less Mr. Choate's experiences as ambassador, supplemented the long series of letters which could be drawn upon.

To Mr. Root, for a long extract from his address on Mr. Choate, and to Mr. William V. Rowe, for light thrown on the swift procession of Mr. Choate's law cases, I make especially my grateful acknowledgments. Obligations to many other contributors will be noticed in the text.

Mr. Choate's courage was often remarked. Part of it was consciousness of power, but the better one knows him, and follows the details of his walk and conversation, the deeper is the assurance that back of all there was the condition that Horace found in his friend described as

Integer vitæ, scelerisque purus,

—and afraid of nothing.

E. S. M.

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THE BOYHOOD AND YOUTH
OF
JOSEPH HODGES CHOATE

A FRAGMENT OF AUTOBIOGRAPHY

ANCIENT HISTORY

A long confinement to my room and bed, for the first time in more than eighty years, threw me in upon myself for many weary days and nights, and left me nothing to study but the pictures on the walls of my room; but these served as stepping-stones, as it were, in the progress of a long and happy life, and reminded me of the many requests of my children and others that I should put upon paper some of its reminiscences.

I believe it was Doctor Holmes who said that a child's education should begin a hundred years before he was born, and I think mine began at about the period he indicates.

To begin with, there is the portrait of my sturdy maternal grandfather, Gamaliel Hodges—Captain Mill Hodges, as he was always called in Salem, where he was born and lived, and where he died in 1850. It is only a silhouette, but represents a sturdy and fine old figure at seventy, full of life and health, and good for many years to come.

It was he who brought into our line the size and strength and length of days that has stood us so well in hand for three generations at least. It was his twenty-five years before the mast and on the quarter-deck, full of fresh air and salt water, that gave us our good constitutions; and if I was able to maintain a very strenuous life at the bar for forty years and at the same time to give to public service all the attention that a private citizen should, I owe it more to him than to anybody else.

If he had had a full education he would undoubtedly have been a very prominent character in Massachusetts, but he never went beyond the common schools at Salem, which at that date must have been of an extremely primitive character. He told me that in 1776, at the age of ten, he heard the Declaration of Independence read on Salem Common, and it made a lifelong impression upon him; but what showed the limited quantity of his education was that he never went beyond the three R's—Reading, Writing, and Arithmetic—at the school that he attended, and that every day, when the hour came for dismissing school, the boys all rose and recited together, "Honorificabilitudinitatibus," and with the "BUS" all started for the door with a shout.

That was the sum of all his schooling; for, like all Salem boys of well-to-do families in those days, he took to the sea at fifteen, which served him as college and university through all the grades, as cabin-boy, seaman, supercargo, second mate, first mate, and captain, and only retired when he had become not only the master but owner of his ship. The largest ships of that day were of six or seven hundred tons, which could easily get into Salem Harbor, and permitted it to be the chief seaport of Massachusetts. And when larger vessels came in, that could not get in there, commerce moved to Boston and New York, with their commodious harbors.

I never knew where this unpronounceable word that gave the sign for the dismissal of this school came from until some years afterwards, when I found it in the mouth of Holofernes, the schoolmaster in "Love's Labor's Lost," who seemed to have made a similar use of it. Now my grandfather, I am sure, had never read Shakespeare, and I doubt whether his teacher had. It must

have been a word—if we can call it a word—that came down through tradition in the schools, handed from mouth to mouth, and crossing the Atlantic with the first settlers. And I have no doubt that for centuries before that it had been used in a similar way in the Latin schools of early centuries, for I find that it occurs in manuscripts at least as early as the twelfth century, in the "Catholicon" of Johannes of Janua, 1286, and in Dante's "De vulgari eloquio," and in late middle Latin dictionaries. The idea seems to have been that any boy who could spell that could spell any word in any language.

At any rate, Gamaliel Hodges' stalwart form has served us well ever since. He is said to have been the tallest man in Salem, and at his best, or worst, weighed no less than three hundred and fifty pounds. And his brothers were of like stature, for the story is told that when all three—he and Benjamin and George—were standing together on Derby Wharf, the master of a foreign vessel coming up the dock, exclaimed: "Is this a land of giants?" He had no nerves whatever, and is believed to have gone through his long life of eighty-five years without any illness until that which finally carried him off.

But the Choates of our line were generally a nervous race, full of vitality and mental action, without the Hodges stamina, dying or failing early, and perhaps lingering into old age in a somewhat weakened condition. It was this blend of two such different stocks by the union of my father and mother that proved such a happy one for their posterity.

There is another portrait of Gamaliel Hodges in my library, representing him as a spruce young American shipmaster, about twenty-five years old, in what ap-

pears to have been the sort of uniform for such commanders at that period. It was painted in Antwerp when he was there in command of a ship, and his cocked hat, red waistcoat, ruffled shirt, with a spy-glass under his arm, set him off to advantage. Strange to say, it bears a striking resemblance to one of his great-grandsons, showing how features are sometimes transmitted to distant posterity to one out of many descendants.

There is a story worth noting about this picture. My lifelong friend, Captain John S. Barnes, who was a naval commander in the Civil War, came into my library one day, and as his eyes fastened upon this picture he exclaimed, with uplifted eyes and hands: "Where did you get that picture?"

Well, I told him I had seen it at least seventy years ago in my grandfather's house in Salem, and it came direct to me from there when that house was broken up. "Why," he said, "that cannot be. That is a portrait of John Paul Jones."

It seems that Captain Barnes had purchased in Paris a portrait of John Paul Jones, at a high cost, and which he had treasured very carefully ever since out of admiration for that hero, and he said I must be mistaken about the subject of the portrait. Nothing would satisfy him, however, but to bring his own picture and set it side by side with mine. And then it appeared plainly enough that the only resemblance between the two was in the cocked hat, the red waistcoat, the ruffled shirt, the spy-glass under the arm, and a similar air of the sea in both pictures—a ship and the salt water being in the background.

I have heard that in those days it was the fashion with young American shipmasters, when in foreign ports,

to get their portraits painted to bring home to their families, and very likely these two fell into the hands of the same artist. So he kept his portrait, and I mine, both perfectly satisfied with our treasures.

My grandmother, Sarah Williams, who married Gamaliel Hodges in 1788, was a model of the domestic virtues. She had eight children, five sons and three daughters, of whom my mother, Margaret Manning Hodges, born in 1805, was the youngest.

She was of tiny stature, much less than half the size of her husband, which saved her children and grandchildren from becoming giants by reducing them to reasonable stature. Always serene, placid, and industrious, she lived and thought in the good old style, as if the object of her life was accomplished by taking good care of her husband and children, and she satisfied the old adage that the best women in the world are those of whom the world hears least.

She lived to a good old age, being one year younger than her husband and dying three months before him, at the age of eighty-three. But before the end she got tired of life, and for many years I remember her sitting in the chimney-corner and occasionally exclaiming: "The Lord has forgotten me. The Lord has forgotten me." Her husband, with whom she had lived in happy union for sixty-two years, could not bear to live without her, and followed her to the grave in less than three months.

It is through her that we trace our direct descent from the most distinguished of all our ancestors on either side, Philip English, the first great merchant of Salem and presumably of New England. He introduced into our lineage the only strain of foreign blood that I can find on either side.

He was born in the Island of Jersey and his real name was Phillippe L'Anglais. He was baptized June 30th, 1651, in Trinity Parish, Isle of Jersey, where, on a visit to that island in 1902, I verified the record of his birth. He is said to have been of Huguenot blood, and came to Salem about 1670, where he soon after married Mary Hollingworth, daughter of William Hollingworth by his wife, who is described as "the accomplished and beautiful Eleanor Story."

As I have traced my grandmother's descent from him, it was thus:

Philip English's daughter Mary married Captain William Brown before 1730. Their son, William Brown, married Abigail Archer, widow of John Elkins of Salem. Their daughter, Abigail, married Captain William Williams, an English master mariner, and their daughter, Sarah Williams, born in March, 1767, was my grandmother.

Strangely enough, two generations before, another Gamaliel Hodges, my grandfather's grandfather, had married another Sarah Williams, through whom we were connected with many interesting Salem families.

Philip English, after his settlement in Salem and marriage with Miss Hollingworth, proved to be its most enterprising and successful citizen. He built and owned twenty-seven vessels and carried on a great commercial trade, acquired large tracts of land, some of them through his wife, and built at the foot of Essex Street, overlooking the harbor across to the Beverly shore and the Marblehead shore, a fine old gabled house of large dimensions for that day, besides fourteen other valuable houses, and seems to have been universally respected and honored.

But "the whirligig of time," as Shakespeare says, "brings in its revenges," and when the strange witchcraft delusion broke out in 1692 his eminence and great success brought upon him and his wife, probably because of envy at their success and high character—they were considered as too aristocratic—the charge of being guilty of witchcraft.

They were both arrested and lodged in Boston jail, from which they managed to escape and took refuge in New York City, which has always been the asylum of the oppressed, where they remained until the delusion had subsided. Otherwise their names would certainly have been included with the other twenty victims of that terrible delusion.

After their return he was for many years an applicant to the General Court of Massachusetts for relief and compensation for the injuries that he had sustained by reason of the wicked charge.

But so rapidly did the delusion die out when the awful bubble had once burst, that on their return, in the following year, they are said to have been welcomed home with bonfires and other marks of rejoicing, and he lived for thirty or forty years longer.

The warrant for the arrest of English is dated at Salem, April 30th, 1692. It is directed to the marshal of the County of Essex and requires him "in their Majesties' names to apprehend and bring before us Phillip English of Salem, merchant, at the house of Lt. Nathaniell Ingersalls in Salem Village [that is the "Witch House" that is still standing] in order to theire Examination Relateing to high Suspition of Sundry acts of witchcraft donne or Committed by them upon ye Bodys of Mary Walcot Marcy Lewis Abigail Williams Ann Put-

nam and Elizabeth Hubbert and Susannah Sheldon: viz: upon some or all of them belonging to Salem village or farmes whereby great hurt and dammage hath benne donne to ye Bodys of said persons according to complaint of Capt Jonathan Walcot and Serjent Thomas Putnam in behalf of their Majesties for themselves and also for severall of theire neighbours."

On the 2d of May, George Herrick, marshal of Essex, reports Philip English cannot be found, whereupon a new warrant was issued to the marshal-general or his lawful deputy, and restating that he cannot be found, the marshal is authorized to apprehend him and convey him into Salem and deliver him into the custody of the Essex marshal. And the marshal-general's deputy reports that "In obedience to the within written warrant the within remanded Phillip English was arrested and committed by the Marshall General to the Marshall of Essex, on the 30th of May instant." But nevertheless he and his wife did escape.

And this is some of the evidence which is worth relating as showing the horrible character of that delusion:

"The complaint of Susanna Sheldon against Phillip English, the said Susanna Sheldon bieng at meeting on the Sabboth day being the 24 of Aprill shee being aflicted in a very sad manner she saw phillip English step ouer his pew and pinched her and a womane which came from boston wich saith her name is good ne when shee were coming home against William Shaws house their met her Phillip English and a black man with a hy crowned hatt on his head and a book in his hand houlding the book to her and Phillip english told her that Black man were her God and if shee would tuch that boock he would not pinch her no more nor no body els should.

"on the next day phillip English came again and

pinched her and told her that if shee would not toutch the book hee would kill her.

"On the second day at night apeared to her two women and a man and brought their books and bid her touct them shee told them shee would not shee did not know wher they liued on of them told her they lived at the village and heald the book to her again and bid her touch it. shee told her shee did not know their names on of them told her shee was old Goodman bucklyes wife and the other woman was her daughter Mary and bid her touch the book, shee told no shee had not told her how long shee had beene a witch, then shee told her shee had beene a witch ten years and then shee opened her brest and the black man gau her two little things like yong cats and she pit them to her brest and suckled them they had no hair on them and had ears like a man."

The whole New England community appears to have gone mad and to have committed at the instigation of a handful of malicious and foolish girls a terrible massacre of twenty of their fellow citizens, among them some of the most cultivated, pious, and innocent people in the world. Giles Corey, a man over eighty years old, was pressed to death by order of the court for refusing to plead to the indictment against him. And all this was done at the instigation of the clergy of New England, headed by Cotton Mather, obsessed with the conviction that the Devil was among them laboring in person to corrupt and destroy the State.

Certainly, my ancestor was extremely fortunate to escape with his life. I read that, not finding his person, they seized upon and confiscated 1,500 pounds' worth of his goods, and after many years he recovered judgment against the marshal for 60 pounds and was awarded

200 pounds by the commonwealth for his indemnity, a very sorry satisfaction for all his suffering.

Choate seems to have been a very old English name among the better sort of English yeomen. I had the pleasure of meeting Lord Acton, a great historical authority, soon after my arrival in England for a long residence, and he said to me:

"Why, I have seen your name spelled exactly as it is now, in English annals as early as the fourteenth century."

Foolishly enough, I did not think to ask him for a reference to the book where this could be found, and very soon afterwards he died, and the knowledge of that died with him.

The name, however, did to a slight extent emerge from obscurity in England early in the seventeenth century, when Thomas Choate, son of Thomas of Essex entered Christ College at Cambridge University in the same year with John Milton, 1624. The records also show that he remained there for four years and took his degree with Milton in 1629, and being in the class for four years, they must often have met, and, at least, have become familiar acquaintances.

In the Biographical Register of Christ's College, issued in 1913, this entry appears:

> "*Choate,* Thomas: son of Thomas. Of Essex School: Wethersfield, under Mr. Cosen.
>
> Admitted pensioner under Mr. Gell—November 1624 B.A. 1629.
>
> Probably brother of John Chote or Choate, who went to America and became ancestor of Joseph Hodges Choate, United States Ambassador to England, 1899–1905."

Pensioners at that date represented the sons of well-to-do people like Milton, whose father at that time was a scrivener and stationer in London.

I have not been able to verify this identification of Thomas as the brother of my ancestor John, but there are many things that tend to confirm it, among these that John named his third son Thomas, and in the settlement of his estate, provision was made for the completion of the education of his youngest son, Benjamin, at Harvard. The family tradition has always been that our immigrant ancestor was the John Choate who was baptized by that name in the old church at Groton, in England, on the 6th of June, 1624. I verified this record in the parish church, the same church in which Adam Winthrop, father of John Winthrop, was buried.

Professor Masson, in his elaborate history of Milton, which is really for the period covered by it a history of England, records that Milton was one of forty-three students who commenced their academic course at Christ's College in the year 1624.

"It will be noted that eight of the students in the above list entered as 'lesser pensioners,' among whom were Milton, Pory and Choate, four as 'sizars,' and but one as a 'greater pensioner.' The distinction was one of rank. All the three grades paid for their board and education, and in this respect were distinct from the 'scholars' properly so called, who belonged to the foundation. But the 'greater pensioners' or 'fellow-commoners' paid most. They were usually the sons of wealthy families; and they had the privilege of dining at the upper table in the common hall along with the Fellows. The 'sizars,' on the other hand, were poorer students; they paid least; and, though receiving the same education as the others, they had a lower rank

and inferior accommodation. Intermediate between the greater pensioners and the sizars were the 'lesser pensioners'; and it was to this class that the bulk of the students in all the Colleges at Cambridge belonged. Milton, as the son of a London scrivener in good circumstances, took his natural place in becoming a 'lesser pensioner.' His school-fellow, Robert Pory, who entered the college in the same year and month, and chose the same tutor, entered in the same rank. Milton's father and Pory's father must have made up their minds, in sending their sons to Cambridge, to pay about £50 a year each, in the money of that day which was equivalent to about £180 or £200 a year now" (that is, in 1881), and we must conclude that Thomas Choate's father did the same.

To have been in the same little college with John Milton continuously for four years must have insured to him a liberal education.

I have no doubt of the substantial accuracy of the statement that there was a near relationship between Thomas of Christ's and our ancestor John Choate, and we may believe that the family at that date was in fairly good circumstances.

John Choate, from whom all the people of the name in America, now found in great numbers in all the States of the Union, are descended, appears to have arrived in Ipswich from the old country in or about the year 1643. The earliest mention of him in the records is in 1648, when he appears in a list of one hundred and sixty-one persons who subscribed to a fund to pay Major Daniel Dennison for giving military instruction. There is a tradition that he came from Sudbury, in England, which is on the border of Suffolk and Essex, but by what vessel he came or for what reason is wholly unknown.

Like most of the other immigrants of that time, who were in moderate circumstances, he absolutely lost all connection with the relatives whom he had left behind him. There were no mails, no newspapers, no regular communication between the mother country and the colonies. Now and then at rare intervals a vessel from the old country arrived, but it was very easy to lose all association with or knowledge of the relatives and friends they had left behind them.

That he was of good courage and character is manifest from the progress that he made after his arrival in Ipswich. That he went diligently to work and made rapid progress in acquiring property and social connections is clear. In 1660 he married, but as the first records of the church in Ipswich have been lost and the town records at the beginning were very badly kept, there is no register of his marriage and no means of ascertaining the surname of his wife or to what family she belonged. But her Christian name was Ann, by which name she is referred to in his will as "my dear and beloved wife, Ann Choate." That is all that is known of her origin, but it is hoped that her family name will yet be discovered.

He was diligent in his business and acquired a very considerable estate, so that by his will he was able to give substantial farms or tracts of real estate to four of his five sons and a handsome legacy, as things were at that time, to each of his two daughters. An inventory made of his estate amounted to 405 pounds and 13 shillings, and his will was witnessed by the celebrated minister of Ipswich, John Wise, to whose congregation he belonged, and Andrew Brown.

His eldest son disputed the will because he did not receive by it a double portion, as seems to have been

the fashion at that time, and a settlement was made between the widow, representing herself and two minor sons, Joseph and Benjamin, and the other three children. In the agreement by which the estate was settled, provision was made for Benjamin until he "comes to commence Bachelor of Arts, and to help bring up the said Benjamin in and at said College to that time." We know that he was graduated at Harvard in 1703, the earliest of the name in the catalogue, but this provision which was made by the settlement in 1697 must have covered the period of two years at school before he entered Harvard.

John Choate and his third son, Thomas, have one truly valuable title to distinction, and that is that at the height of the witchcraft delusion, when almost everybody else was mad, they had the courage to sign a protest in behalf of John Proctor and his wife who are described * as "now in trouble and under suspition of witchcraft," which was in the highest degree significant. The protest was headed by John Wise; and the signatures of John Choate, Sr., and Thomas Choate appear among the inhabitants of Ipswich who joined in it for the rescue of two of the most conspicuous victims—their neighbor and his wife. Among other things they say: "What God may have left them to, we cannot go into God's pavilion clothed with clouds of darkness round about; but, as to what we have ever seen or heard of them, upon our consciences we judge them innocent of the crime objected." As Upham, in his "History of Salem Witchcraft," has truly said: "It is due to the memory of these signers that their names should be recorded, and their

* In "Records of Salem Witchcraft," vol. I, W. Elliot Woodward, Roxbury, Mass., 1864.

descendants may well be gratified by the testimony thus borne to their courage and justice."

He had another greater title to distinction in that he was the progenitor of a long and widely scattered family that in each generation has done good service for its country. All of the sons and the two daughters married and had children. The families were large in those days and there is no wonder that in two hundred and forty-five years his seed has been widely disseminated.

His third son, Thomas, from whom we are descended, was evidently more enterprising than either of his brothers, for he married three times; first, in 1690, when he was nineteen years old; second, in 1734, at the age of sixty-three; and third, in 1743, at the age of seventy-two; showing that he was not afraid of incurring the responsibilities of matrimony and paternity. His nine children all married and all had children, none of them less than four and one as many as twelve.

HOG ISLAND

Thomas Choate, who was born in 1671 and died in 1745 at the age of seventy-four, appears to have been a man of uncommon vigor and enterprise. He was undoubtedly a great farmer and a leading citizen of Ipswich, and their representative in the General Court for four years. He it was who acquired the land on Hog Island where he and his descendants have to this day continually resided.

Life on the island, as everywhere in Ipswich in his time, must have been extremely simple and primitive. The habits and customs of the people cannot have changed much since the earliest settlement of the colony, and the only communication with the outside world appears to have been when the head of the family was sent to represent the town at the meetings of the General Court in Boston.

The old-fashioned New England discipline prevailed. The father was the real head of the family; the mother was the mediator between him and the children, who were entirely subject to his sway.

His third son, Francis, was my ancestor, born in 1701 and died in 1777, and that generation appears to have come into great prominence in local and even State affairs. It has been said that among all the Choate ancestors none were so illustrious for their piety as were Esquire Francis and his good wife Hannah. He was a ruling elder and is credited with having been a tower of strength in the Whitefield Movement, and to the end

of his life the right-hand man of his pastor, the Reverend John Cleveland. Like many men of his time he was a slaveholder, but in his will he provided for the freedom of his slaves or for their comfortable support should they become aged and unable to work.

But it was his elder brother, Colonel John Choate, who first of the family enacted a distinguished part in public affairs. In all that concerned the commonwealth he was extremely active and useful, and was evidently a forceful character of great ability and activity. Between 1731 and 1760 he was elected fifteen times as representative of Ipswich in the House of Representatives, and for five years he was a member of the Council. During his long term of legislative service, he appears to have been on all important committees and on many special commissions. He was called upon to do duty on all sorts of important subjects. In 1741 he was elected speaker of the House, but Governor Belcher seems to have been displeased and dissolved the House before anything further was done.

The subjects on which Colonel John Choate was employed included the Land Bank, the settlement of the boundary between Rhode Island and Massachusetts, an inquiry as to who were formerly sufferers as Quakers or on account of witchcraft and what satisfaction had been made by the General Court to such sufferers, on bills of credit, to ascertain their rate with gold and silver, and also on the bills of credit of other provinces, on the payment of taxes and other financial matters. He went on the expedition against Louisburg with the recruits raised for that service, for which he had leave of the House to be absent, and was commissioned judge-advocate of the Court of Admiralty at Louisburg after his arrival

there with his troops. He also served on the committee on encouraging manufactures and other industries of the province. He was chosen by the two Houses commissioner to meet the Six Nations of New York. From 1735 to the time of his death, thirty years afterwards, he was constantly employed on important business for the commonwealth.

And this did not distract him from purely local affairs, for in 1764, the year before his death, he built the famous Choate bridge over the Ipswich River, a stone bridge of beautiful proportions, which still stands secure as on the day it was opened, although its low arches were such a novelty in that region that its collapse with the first heavy load that went over it was loudly predicted, and great multitudes are said to have gathered to witness the catastrophe.

His nephew, Stephen Choate, son of his brother Thomas, is also my ancestor, his daughter Susannah having married my grandfather George Choate, her cousin, and this Stephen, born in 1727 and who died in 1815, was also a great public character, besides having thirteen children and a great troop of descendants.

In 1774 he was elected on the committee of correspondence which had so much to do with the origin of the great movements for independence which resulted in the establishment of the United States as an independent nation. He entered the General Court as a representative from Ipswich in May, 1776, when the court held its session at Watertown, Boston being in the hands of the British soldiers, and from that time he was annually re-elected until 1779, after which he became a member of the Senate and still later of the Council. He served for many years as county treasurer and was a constant

HOG ISLAND.
Named from the shape of the land.

CHOATE HOMESTEAD ON HOG ISLAND. BUILT IN 1725.

and most useful public servant, and finally he was a member of the State convention that framed the celebrated Constitution of Massachusetts of 1780, which created for that State a government of laws and not of men. It was indeed the ideal model for all State constitutions.

Not only by what he accomplished in life, but by the pictures of him that have come down to us, it is evident that Stephen Choate was a man of strong and robust character and of unyielding tenacity of purpose. He had a great old Roman nose, which still reappears occasionally in the family, and a chin that showed his indomitable will. And the charming picture of his wife, Mary Low, which faces his, proves her to have been true to her vow to "love, honor, and *obey*."

John Choate, the son of Elder Francis, was a delegate to the State convention that ratified and adopted the Federal Constitution in 1788, in which he seems to have taken an active part in support of the Constitution and seems to have had a clear appreciation of the merits of that great instrument, under which we still live. He participated intelligently in the debates, especially on the subject of taxation, as appears in "Elliot's Debates" and in those published by the legislature in 1856.

But I must resume the story of my direct descent. William Choate, son of Francis, born on Hog Island September 5, 1730, was the grandfather of my father. For many years he followed the sea, and became a shipmaster and owned vessels as well as commanded them. Retiring from that, he established a school on Hog Island and gave his children an excellent education.

I have in my possession his family Bible, not only dog-eared but the corners fairly worn away by the pious hands that turned them, and by this it appears that every-

thing on Hog Island was regulated by the tides, as they could only reach the mainland at highest water. I transcribe the entries of his family from this Bible, as long as he lived on the island:

"William Choate (son of Francis Choate) & Mary Giddings (daughter of Job Giddings) were married Jan'y 16th, 1756, and October 18th, 1756 had a son born, who lived but about four weeks—since had other children born (viz.)

"David Choate was born November 29th, 1757, Tuesday in ye morning.

"William Choate was born Friday, August 10th, 1759 at high water.

"George Choate was born Wednesday, February 24th, 1764, low water in ye morning."

So inveterate had the habit become of registering and commemorating the births of the children by the tide that, even after they had moved away from the island to the mainland and lived on farms looking across the brook to the island, they continued for a long time to record the births of the children in the same way, for in the same Bible I find the family record of my grandfather, George Choate, as follows:

"George Choate, son of Captain William Choate and Susannah Choate, daughter of Stephen Choate, Esq., were married January 1st, 1789, and Sunday, October 18th had a daughter still born, and since then had other children namely:

"William Choate was born Tuesday, October 26th, 1790 about eight o'clock in the evening, low water.

"John Choate was born Monday, July 16th, 1792, about four o'clock in the afternoon and about low water.

"George Choate (that was my father) was born Monday, November 7th, 1796, at nine o'clock in the evening about four hours ebb."

Captain William Choate appears to have been a highly intelligent person. He fitted for college in Salem, and his father desired him to graduate at the university and become a clergyman, but his own taste did not lie in that direction, and yet he was sufficiently self-educated to instruct his own four sons in navigation and other studies.

They all followed the sea more or less. David (who was the father of Rufus) sailed to Spain and also to southern ports when a young man. His son William went to sea eight or ten years before his removal to Derry. George was a captain before he came to the island, and Job was a captain between Europe and America for twenty years.

The lives of Captain William and his son George appear to have been singularly alike—simple, quiet, and unobtrusive, following the sea at times and farming for the rest, holding important local public offices, and employed by their fellow townsmen in the management of their affairs and enjoying their full confidence and esteem.

George represented the town of Ipswich from 1814 to 1817, and the new town of Essex after it was set off in 1819, and he held various other offices in the town.

I transcribe from the notice which the Salem *Gazette* published of him at the time of his death, as follows:

"Few men have so well discharged the duties of husband, parent and citizen as Mr. Choate. He was for

many years a member of the Legislature from Ipswich, and the first representative from Essex, and was much employed by his townsmen in the management of their concerns, deservedly enjoying their highest confidence, respect and esteem. By them his usefulness will be long remembered. To a strength and purity of mind there was united a quiet, peaceful and amiable disposition, which greatly endeared him to his friends and acquaintances. So mindful was he of the rights of others that, as he never made an enemy, so certainly he has not left one; and we cannot but admire and wish to imitate that discipline of mind and feeling, which he so eminently manifested, and which enabled him to perform the duties and sustain the fatigues and ills of life without a murmur or complaint. The virtues of honest fidelity and benevolence will not perish with the body. For the upright and faithful there remaineth a rest. He was always deeply interested in the cause of education, and gave his hearty and constant support to the institutions of religion."

He appears to have been the leading spirit in the movement for the separation of the Chebacco Ward in the town of Ipswich and its incorporation as a separate town in 1818, although such separation was steadily resisted by the inhabitants of the rest of the town.

* * * * * * * *

And there hang the portraits of my father and mother, looking down upon me from the wall, photographs taken at about the age of sixty, both very handsome, very earnest and a little anxious, the reason for which will appear.

My father, Doctor George Choate, born at Chebacco, November 7th, 1796, was the sixth in descent from the original settler. He was prepared for college under the tuition of the Reverend Doctor William Cogswell, then master of the North District School in Chebacco, supplemented by a year in Dummer Academy and another year in Atkinson Academy.

He entered Harvard in 1814 and graduated in the class of '18, which numbered eighty-one members, the largest at Harvard up to that time and until my own class of '52, which numbered eighty-eight, both in striking contrast to the enormous numbers in more recent classes.

When he presented himself for examination, his name seemed to give great trouble to the examiners, for the Latin professor, who thought there must be one syllable for every separate vowel, in calling the list addressed him, as he told me, as "Co-a-te."

His classmates included such men as Professor John Hooker Ashmun, Sidney Bartlett, Francis Brinley, William Emerson (the brother of Ralph Waldo Emerson), the Reverend Doctors Farley and Noyes, and General Henry K. Oliver.

The curriculum and routine of education, from what he told me, seems not to have changed much from the earliest period, chiefly consisting of learning by rote and recitations from the books studied.

Upon the subsequent settlement of his father's estate, which was inconsiderable in amount, a few years afterwards, it was found that George had received the whole amount of his share to pay for his education. In fact, from the time of his graduation he had to rely wholly upon his own resources, which made his professional and personal success in life certain.

To obtain the means of prosecuting his professional studies he was for two years master of the "Feoffee's Latin School" in Ipswich, and at the same time was engaged in the study of medicine with the late Doctor Thomas Manning, a celebrated practitioner of his day, and two years more were spent in the office of the late Doctor George C. Shattuck, of Boston, one of the most eminent physicians of his time. His relations with Doctor Shattuck continued until the latter's death to be of a most friendly and cordial character. I well remember the kindly hospitality of the old gentleman at his stately residence at the corner of Cambridge and Staniford Streets in Boston, where he often entertained my brothers and myself while in college in the most paternal and friendly way.

In 1822 he received the degree of M.D. at the Harvard Medical School and immediately entered upon the practice of his profession in Salem. His success from the start was pronounced and continued for a period of nearly forty years. His practice extended through the neighboring towns and involved the most strenuous labor, but he was not content with professional success alone, for he was a man of genuine public spirit and took an active part in all the affairs of the community, which constantly relied upon his advice and assistance.

For many years he was president of the Essex South District Medical Society and of the Salem Athenæum. After withdrawing from practice, he represented Salem for several years in the General Court, and previously he served efficiently as chairman of the school committee and as an active member of the Board of Aldermen.

He was a pillar of the First Church, the church of Francis Higginson and Hugh Peters and Roger Williams.

He was deeply interested in all the historical traditions of that ancient congregation, and at the installation of a new clergyman in 1848 he officiated as chairman of the committee, and, after the manner adopted by the brethren at the installation of Higginson and Skelton in 1629, made the address which inducted the new pastor into office, in exact conformity with what was done in the church at its foundation two hundred and nineteen years before.

His interest in education was very remarkable and never-failing, and he heartily sustained the efforts of Horace Mann for the reform of the school system of Massachusetts, which wrought such a wonderful change in that system. I well remember his taking me with him in his chaise to Topsfield, where he went to attend a teachers' convention at which Mr. Mann was to be present. And as the distinguished reformer was desirous of getting to Salem that night my father invited him to drive home with him, and as there was no other place for me I sat all the way upon Mr. Mann's lap, which I have always regarded as the actual beginning of my education.

The lives of my father and mother were truly heroic in the matter of the training of their own children. Having four sons and two daughters, they determined at all hazards to give them the best education that the times afforded, and in so doing they set them a wonderful example of self-control, self-denial, and self-sacrifice. Everything else was subordinated to this high ideal and they denied themselves everything else to accomplish this lofty purpose.

At that period I cannot recall my father ever taking a holiday, except for one hot afternoon in summer, when

he drove the whole family in a carry-all to Phillips's Beach for a sail and a fish supper. All the rest of the time, summer and winter, was devoted without stint to constant work.

Social enjoyments were very limited and our family life was in striking contrast to that which prevails among well-to-do people to-day. But they succeeded to a very remarkable degree and gave their children an inheritance which was far more precious than any amount of wealth would have been. Many a time have I seen him pay out what was nearly his last dollar for the settlement of our college bills, and all he had to give us by will was a hundred dollars apiece.

But his triumph was of the most signal character, for the Harvard College annual catalogue of 1848–49 contained the names of all his four sons, one a medical student, one a senior, and two freshmen. And when I recall that all this was accomplished out of his narrow professional income, when his ordinary fee for a visit was seventy-five cents and seven dollars and a half for bringing a new child into the world, it is hardly possible to conceive how he could have done it.

But they had their reward in the success of their sons and daughters and in their most fervent gratitude. I remember that when my brother William and I graduated at Harvard in 1852, William was the first scholar in the class; so much so that there was really nobody second, and the faculty with an unusual manifestation of sentiment gave him at commencement the Valedictory Oration which was his as a matter of right, and to me, although I was only the fourth scholar, the Salutatory Oration, which did not belong to me at all, so that we sandwiched the class between us in the exercises of that day.

And when my mother appeared, with her characteristic modesty and shyness, Mrs. Sparks, the wife of the president, greeted her with the question: "Why, Mrs. Choate, how did you come up from Salem?"

My mother answered: "I came in the usual way, by the train to Boston and to Cambridge in the omnibus."

Mrs. Sparks exclaimed: "You ought not to have come in that way; you ought to have come in a chariot drawn by peacocks. Such a thing as this has never been known before in the history of Harvard—two brothers sandwiching the class on the commencement programme!"

I suppose there may be many similar examples of parental devotion and self-sacrifice among us to-day, but they are not apparent. In those days the rule was duty first and pleasure afterwards, and if duty occupied all the time it must be performed at all risks and let the pleasure go. Nowadays, so far as I can observe, among successful people pleasure occupies a much more prominent place and is not necessarily sacrificed to duty. When I look around me and see fathers and mothers devoted to pleasure, to bridge-parties and dancing and the various other forms of social entertainment, I often wonder what the moral effect will be upon their children who cannot help seeing it all.

At any rate, the old way created an indissoluble bond between parents and children, and for one, throughout life I have never made any important decision without wondering what my father and mother would have said about it.

Some day the present carnival of sport and pleasure will be checked and an era of self-denial and sacrifice will come again. Fathers and mothers such as I have described mine to have been do really constitute the

pride and glory of the commonwealth, as they have been from the earliest days of the colony, when everything else was subordinated to working out the salvation of themselves and their children. Of course, it is money that is doing the mischief, and fortunately does not affect nine-tenths of the people of the country, who have really to work for their daily bread; among whom must in every generation be found thousands of instances of parents who sacrifice the present to the future and forego everything else to make sure of the education of their children.

My father at last paid a fearful penalty for the constant overwork and nervous tension of his earlier years, for at about the age when his father and grandfather had died, his health failed entirely, and he lived an invalid for more than seventeen years. It was here that the supreme patience and fortitude of my mother, which she had derived constitutionally from her father, proved such a priceless blessing in enabling her during that long period to comfort and care for him.

CHILDHOOD

And now I come to my own birth, which took place at Salem on the 24th of January, 1832. I have never had my horoscope cast, but it must have been propitious to account for the cheerful temperament which has marked my whole life, always looking on the bright side and making the best of everything as it came, which has been in itself a great fortune, worth more than many millions.

The earliest written record of my appearance in the world is contained in a letter written on the following Sunday by one of my aunts to another, in which she says:

"Margaret was confined last Tuesday with the largest boy she ever had. She continued comfortable for three days. Since I have not heard, but presume she remained so. She has put her child out to nurse."

As I was the fifth child and the fourth boy, the oldest not yet five, my size spoke well for me at the start, and the reason that I was put away so summarily was that all the other children at the time had the whooping-cough, for in those days it was supposed, as I believe it is now, that the whooping-cough was fatal to new-born infants.

At any rate, I was wrapped up in a blanket immediately after my birth and carried over to the banks of the North River, where the selected nurse, Mrs. Law, dwelt, and there I remained for seventeen months, which can only be accounted for on the theory that I was regarded at home as one too many, who would be only in the way if returned to the parental mansion.

There was once a malicious suggestion that during this protracted separation from the family my identity was in some mysterious way changed, and that I was only a changeling after all. But one had only to look at my mother's features, which were exactly like my own, to see how groundless this suspicion was. It only had its origin in the fact that I was really quite unlike all the rest of the children in temper and disposition.

This must have had some effect upon my character at that early day, for my mother, writing to her sister-in-law on the 10th of February, 1834, says: "I have no baby you know to keep me at home, for Joseph is two years old, although rather troublesome. He was seventeen months old when we took him home. He had been indulged so much we found him rather difficult to manage," a condition which, I fear, continued some time afterwards; but, anyhow, I had to fight for my place in the family and gradually secured it.

But I was not long to enjoy undisturbed the domestic felicity of home which I had thus regained. In those days, when servants were few and nurses for the children almost unknown, the sooner they were sent to school the better for all concerned, and it must have been an immense relief to my mother for a great part of the day when all the five children were already in school. My earliest recollection is of being taken by the hand by my brother William, who was a year and a half older—I was two and a half—and led to the Dame's School, which I attended until I was seven years old.

It was the simplest affair possible, kept by an aged spinster, Miss Lewis, and her widowed sister, Mrs. Streeter, and attended by some twenty boys and girls, the children of our neighbors and friends.

I perfectly remember my first morning at the school, when I was put in charge of the biggest girl among the scholars, who afterwards became a dignified matron of the city, the wife of a distinguished lawyer and the mother of a considerable family. The schoolroom was of moderate dimensions, the boys upon one side of the stove, which occupied the centre, and the girls upon the other.

The only punishment that I remember at the school for any boy who misbehaved was to be put over to sit among the girls. This was a little awkward at first, but I soon got used to it and liked it very much.

It was like a modern kindergarten without the apparatus, but we did learn to read and write and cipher there, so that I cannot recall the time when I could not do all of those things.

Mr. William M. Evarts, with whom I long afterwards became associated, is recorded in the life of his father to have read the Bible perfectly well at three years old. I do not think that I was quite equal to that, but certainly had begun to read at that age.

The surroundings of the school were attractive. Across Sewall Street, where it was situated, and this was within a stone's throw of my father's house, there was a wheelwright, and it was great fun for the children to gather about this skilful mechanic and watch his work. His name was Ira Patch. At the corner, as we turned into Sewall Street from Essex Street, was quite a noted hardware store kept by Robert Peele, and his shop-window with its wonderful collection of all kinds of hardware was a constant attraction. But best of all, in immediate contiguity with the schoolhouse, was a famous blacksmith shop kept by Benjamin Cutts, whose forge in active operation it was a daily delight to watch. He

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SAN RAFAEL

was something more to us than a mere neighbor, for sometimes, when one of the boys, who was constitutionally refractory, became unmanageable the schoolmistress called out: "Send for Mr. Cutts! Send for Mr. Cutts!" and the sturdy blacksmith came in to the rescue and suppressed the offender.

These dame's schools were a peculiar and very important institution of New England and had been so from its foundation. Each was entirely independent, related in no way to any other school, and contributed substantially to the support of otherwise helpless dames and to the welfare of their little charges. I have no idea or recollection of what the tuition-fees were, but they must have been infinitely small. And yet they constituted all that my father ever paid for my education until I entered Harvard College.

The town schools at that time were in an extremely rude and primitive state, very much as they must have been for two hundred years at least. I remember perfectly well being taken by the hand by my father the morning I was seven years old and taken to the public school, an alarming experience, indeed, for the master, Abner Brooks, had the reputation of being a perfect terror. He was a weakly man and made up for that infirmity by a liberal use of the cowhide, which he applied very freely.

The Centre School, as it was called, was in Washington Street, and was kept in one large room, where there must have been about fifty boys from seven years old to fifteen. We sat on benches, which stretched across the room from front to rear with an aisle between, on a sloping floor, and as the youngest boys were on the back seat, I was marched up in the face of the whole

room to my place there. It was really a terrible experience.

All the teaching was done by this one man, who heard the successive classes recite from nine to twelve in the morning and from two to five in the afternoon. At the close of every day a group of offenders were stopped after school to receive the application of the rod, and this was in addition to the use of the long rod which would reach the backs of half a dozen boys on the same bench and was applied from the central aisle.

On the whole, it was a pretty brutal affair. There were no games and no recreation at the school. The only thing that might be so considered was when a new load of wood came. The best boys were allowed to get it in, which was regarded as a special privilege. Certainly there must have been much waste of time in the years that I spent at that school.

The master had no special gift for teaching. It certainly was a dreary routine, with little to mitigate the rudeness and dreariness of it. But now and then, when our school-teacher felt uncommonly well, he would make us a little speech and say that hereafter he was going to rule by love, and as proof of it he would cut up both his cowhides and have them burned up in the stove. But in a few days this did not prove satisfactory, and new rods were purchased and never spared for fear of spoiling the children.

Happily for us all, Horace Mann soon came to the rescue and convinced the people of Massachusetts that decent and sanitary schoolhouses and humane treatment, and skilled teachers really qualified for their task, were the best investment that the State could make. New schoolhouses of fine proportions, built on sanitary

principles, began to rise throughout the State of Massachusetts, normal schools came into being, and a board of education was created which bore the responsibility of the general conduct of these schools throughout the State. The ancient town of Salem, at the time of my birth not yet a city, was a unique and most wholesome place in which to be born and bred. It was a place of about fifteen thousand inhabitants, fourteen miles from Boston, to and from which city the stage ran every day but Sunday. It had two newspapers, *The Salem Register* and *The Salem Gazette*, printed by hand-presses, and published each twice a week, so that we were comparatively secluded from the rest of the world, hearing from Boston every afternoon, from New York about twice a week, and from Europe about once a month. Consequently our people were thrown very much upon themselves and took an intense interest in local affairs, and had but a scanty knowledge of what was going on in the rest of the world. Steam and electricity had not yet begun their wonderful work there, friction-matches were just invented and regarded as a great curiosity, and I remember my father bringing home a piece of anthracite coal, a kind of fuel hitherto wholly unknown, and making great complaint because, when put in the fireplace, it would not burn.

We lived in an old brick house of large dimensions, looking out upon the west upon the grounds of Barton Square Church with their fine elm-trees and with a great garden in the rear. There was no furnace in the house, the only mode of heating being by stoves and open grates and fireplaces for wood, of which I remember only three, one in my father's office, one in mother's room, and one in a large sitting-room, where we all sat and lived and

worked together. There was no gas as yet and our only lights were candles, brass oil-lamps, and astral lamps with glass chimneys and shades, which gave the best light we had.

This house had been purchased by my grandfather Hodges just before the marriage of my father and mother, as the deed of record in the Registry of Deeds shows. It had already some historic interest, for it was there that Count Rumford, then known as Benjamin Thompson, served his apprenticeship in the general store of Mr. Appleton, who then owned the house. This must have been a few years before the outbreak of the Revolutionary War, for his biography says that he was at the age of fourteen sufficiently advanced in algebra, chemistry, astronomy, and even the higher mathematics to calculate a solar eclipse within four seconds of accuracy. Certainly he was one of the earliest of infant phenomena. It is further recorded that in 1766 he was apprenticed to a storekeeper in Salem, and while in that employment occupied himself in chemical and mechanical experiments, as well as engraving, in which he attained some proficiency. The outbreak of the Revolutionary War put a stop to the trade of his master, and he thereupon left Salem and went to Boston, where he engaged himself as assistant in another store, and began his wonderful and most romantic career, marrying at nineteen a woman of property, his senior by fourteen years, sailing for England on the evacuation of Boston by the royal troops in 1776, knighted by George the Third, and all the time making very important inventions and discoveries, many of which have lasted until the present day, made a count of the Holy Roman Empire by the King of Bavaria, and marrying for his second wife the wealthy widow of La-

voisier, the great French chemist who was guillotined by Robespierre for his great services to mankind. I am sorry to say that with his last wife he led an extremely uncomfortable life, until at last they agreed to separate, and he died in peace in 1814, having established Rumford Medals in the Royal Society and the American Academy of Arts and Sciences, and the Rumford Professorship in Harvard University. How much of this erratic and successful career was due to his long residence as apprentice in our house, it is hard to say, but we may claim the credit of all that was creditable in it.

SALEM

Salem, which continued to be my home for the first twenty-three years of my life, was a most unique and delightful place. It was so old, so queer, so different from all other places upon which the sun in his western journey looked down, so full of grand historical reminiscences, so typical of everything that has ever occurred in the annals of American life, that it was a great piece of good fortune to be born there. The natives of the place were a little older to the cubic inch than men born at exactly the same moment in any other part of America. It could not possibly be otherwise with human beings born and bred in those old houses, which have cradled so many of our race for upwards of two centuries, that humanity itself had got used to being started there, and found itself an old story at the beginning. Comparing a new-born Salem baby with an infant born at the same moment in Kansas, or Colorado, or Montana, I venture to say that the microscope would disclose a physical difference, a slight—perhaps a very slight—mould of antiquity, which all the waters of Wenham Pond could never wash away.

It was the very spot where Endicott had landed in 1628, and John Winthrop, the leader of the great Puritan host which came over in 1629. It had been the scene of the terrible witchcraft delusion in 1692, when all the people of Massachusetts, from the governor down, led by the infernal doctrines of the clergy of that day, headed by the notorious Cotton Mather, really believed that

Satan himself was actually present among them seeking whom he might devour; all which resulted in the cruel slaughter upon the gallows of twenty of the most respectable people of the place, and left a cloud upon its good name which will never be effaced.

In the early part of the eighteenth century Governor Burnet had transferred the General Court to Salem, but they refused to do any business there because it was not their proper place, and again when General Gage, in 1774, arrived he attempted to transfer the legislature to Salem, which was the scene of great activity and conflict between the royal authorities and the people during that year. It has always been claimed by the people at Salem that the first blood of the Revolution was shed there at the old North Bridge when Colonel Leslie one Sunday morning led a company of royal troops from Marblehead to capture a quantity of arms and munitions stored there, but was dissuaded from making the seizure by the influence of its leading citizens.

From the beginning the port had been the scene of a steadily growing commerce, Salem ships being the first to penetrate the distant regions of India and China, and bringing home cargoes of fabulous value, which enriched many of the leading people. Many great fortunes had been made there, most of which had already been transmitted to the second generation before my birth.

The First Church in Salem, in which I was brought up (being required to attend two sessions there every Sunday, summer and winter, rain or shine), had maintained its position on the same spot from the earliest days of the colony. It was the church of Francis Higginson and Roger Williams and Hugh Peters, all of whom had been driven from England in the days of the tyranny

of Archbishop Laud, as nonconformists. It was within the walls of this church that Anne Hutchinson and the Quakers had made their unseemly demonstration, for which they had been expelled from the colony, but nonconformity seemed to be deeply rooted in the soil of the church, and in my boyhood it was one of the most pronounced Unitarian churches in the whole commonwealth.

All these historical reminiscences and traditions hung over the place and made a deep impression upon the minds of sensitive and impressionable children who were brought up there even down to my time, and these impressions were greatly confirmed by the wonderful writings of Hawthorne in all his books relating to colonial history. We loved to wander at large within the narrow limits of the old town, endeavoring to locate the places where its notable celebrities in former generations had acted their parts.

At the time of my birth Salem was an extremely isolated place, practically shut in from the rest of the world. There was daily stage communication from Boston, which ran on to the eastward through the town, and the life there was extremely simple. The commerce of the place had practically dried up, and there was only the local trade for the supply of the necessities of the inhabitants and of those who came in from the neighboring country to do their shopping. The population was homogeneous, pure English throughout. The great tide of Irish immigration had hardly begun, although a few straggling Irish girls could be found in the kitchens, but I can only recall two foreigners among the better class of the people, one an Italian music-master, and another a French refugee, both gentlemen of excellent quality.

Neither steam nor electricity had yet been introduced in any form, but they were soon to come, for one of my very earliest recollections was in 1837, when I was five years old, being taken by my father to the top of Castle Hill, which lay to the south of the town, to see the first railroad-train come in from Boston. Compared with any railroad-train now known it was a very petty and puny affair, a little engine with two small-sized passenger-cars and what was called a "nigger car" attached for colored people to ride in. Samples of such primitive trains are always shown now as exhibits from the earliest railroads as examples of the beginning of the transportation system of the United States.

That was truly the beginning of the life of the place which had been slumbering for years since its seaboard and seaborne life had died away. I was literally born into a wholly different life from any that we know anything about to-day. The town was dead before this first railroad-train arrived, and from that moment it really began to wake up. In fact, for a time, the coming of the train from Boston was the signal for a great assemblage of the younger people at the station to see the train come in. There were no time-tables, and the coming and departure of trains was announced by an old Revolutionary soldier, a veteran corporal, who became well known to all the boys in town, Corporal Pitman, and the local rhyme ran:

"Who rings the eastern railroad bell,
And makes its notes with power tell,
And who can do it half so well
As Corporal?"

Two years afterwards the eastern railroad was extended to Beverly, two miles beyond, and to accomplish

this, what appeared to our childish imaginations to be an enormous tunnel was dug through the centre of the town from river to river, at least fifty feet deep and still more broad, which cut the town in halves, and when it was finished and the trains ran through to Beverly and beyond, Salem had awakened from its lethargy and was really in touch with the rest of the world.

We were very proud of our local celebrities, especially if they had attained to great national and public reputation, and one of my earliest reminiscences is being sent home from church one hot Sunday afternoon, at the close of the service, to make room for a grown person to attend the eulogy to be pronounced upon Doctor Bowditch, the great mathematician and navigator. I could not have made room for a very large person, because I was then only six years old, but every inch of space in the First Church was required for so celebrated an occasion.

Life in those days was a steady round of work, even for the young people, with very little play and still less decoration. The clothes of all classes and both sexes were very plain, and the cuisine and the food were very simple. It is true that there were some very rich people in the town, who had inherited and divided the wealth of the great merchants of the previous age, but the rest of the people who were engaged in earning their own living and ours had not much to do with them. They had some pictures and statuary that, I believe, were of no great account, and there was no opportunity for the study of art except at the famous East India Marine Museum, which was organized in the early part of the century and composed of seafaring men who had navigated Cape Horn or the Cape of Good Hope as master

or supercargo, and had brought home curiosities from distant parts of the world, which were the chief riches of their museum. But it did hold two wonderful casts that made a great impression on my mind, one of the Laocoon, and the other of the boy seated and picking a thorn out of his foot, which are still very famous among the artistic treasures of Europe, and there also were products of Chinese and Indian art which compared well with more modern importations from those distant regions.

I believe that Salem in the time of my boyhood could boast of a greater proportion of living Harvard graduates than any other town in the State, for those old merchants had had the wit to send their sons to college, and every year a liberal contingent of candidates were sent to Cambridge.

For a place of its size, too, Salem was well supplied with local newspapers, which held a high reputation in the ranks of the American press, *The Salem Register* and *The Salem Gazette*. *The Gazette* had had a long career and was a dignified paper of somewhat aristocratic tone, while *The Register* had started as a Democratic paper and was much patronized by Judge Story, who, I believe, had something to do with editing it in his early days, and who wrote the verse which it always maintained at its head:

> "Here shall the press the people's rights maintain
> Unawed by influence, and unbribed by gain
> Here patriot truth its sacred precepts draw
> Pledged to Religion, Liberty and Law."

Each of these came out twice a week, *The Register* on Monday and Thursday, and *The Gazette* on Tuesday and Friday, and that was about all the people could bear,

for an attempt to convert *The Gazette* into a triweekly paper after we began to have daily papers from Boston proved an entire failure, and was stigmatized by the boys with a contemptuous verse: "Triweekly, but try in vain." Like the local press of every suburban town, it had to yield at last to the greater success and value of the metropolitan journals.

Our sports consisted in the winter of an occasional sleigh-ride, and in the summer of a few rude games at school during recess, and ranging over the great pastures, which were a relict of colonial days when rights were acquired by the inhabitants who kept cows, which gave them right to pasture them within its limits. These pastures extended all the way from Salem to Lynn, and were great places of resort. My father also kept cows, never less than two, which we took care of and milked and drove to pasture, and thought we enjoyed it, and I had special opportunities for driving about, as my father often took me in his chaise, on his round of professional visits, to hold the horse.

We also had much to do with assisting my mother about the household work, for servants were very few in those days and large families were brought up with the aid of not more than one or two servants with occasional help of chorewomen called in for the purpose, but we did have a good, sound, wholesome training and education in schools of a high character which then sprang up all over the State under the inspiration of Horace Mann, and the brutality that had been maintained steadily in the first grammar-school that I attended, with its squalid accompaniments, was speedily put an end to. Flogging which had there prevailed to an unlimited extent was practically abolished, although the

right to punish in that way was still reserved for serious cases.

I have said that our education was all without cost to my father until we entered Harvard, but I do not mean training in the accomplishments of life, for I was sent to three institutions of that kind, the dancing-school under the famous Papanti, the singing-school under Jacob Hood, and a drawing-school under Robert Conner, who was, I believe, an imported Irishman and a very good teacher; but the results in these three establishments were not very flattering to my pride, for I remember on one occasion, after a serious trip-up, being sent home by Papanti with a message to my parents that I was a disgrace to my family, and after I had cultivated the art of drawing, as I supposed with success, for about two years, Mr. Conner took my father aside and whispered to him confidentially that he need not send me any more to the school, because he really could not teach me any more, and in singing-school I never reached the dignity of singing alone, but only in very bad school choruses.

As my youthful years progressed there was one form of entertainment that I found most useful and instructive. I mean the lyceum lectures that at that time prevailed generally throughout New England in the larger towns and cities in the winter season. We regarded it as a great thing to have the most distinguished men of letters in the country come and deliver discourses on interesting subjects, and I believe that I was always a faithful attendant in all the later years of my school days on these courses. When such men as Doctor Holmes and Mr. Emerson, James Russell Lowell, and their distinguished colleagues in Boston came, we hung upon

their lips with the most devout attention. I believe that this form of entertainment afterwards declined, owing, I suppose, to the universal introduction of magazines and weeklies which brought home to every house instruction in subjects similar to those to which we had been so long used in the lectures of the lyceum.

There was also another form of entertainment which, as the years advanced, I found especially fascinating and which, perhaps, had some influence in shaping my subsequent career, and that was attendance upon the sessions of the higher courts of record, the business of which, so far as it pertained to anything like local importance in Essex County, had not yet been absorbed, as it now is, by the greater city of Boston. The sessions of the Supreme Court, presided over by Chief Justice Shaw and his associates, were always a great attraction, especially in the jury trials, where the jurors were selected, two panels for each term, and composed of citizens of high character, and these drew for their professional labors men of distinction from other counties besides Essex.

I remember well seeing and hearing Samuel Hoar, of Concord, Rufus Choate, of Boston, Benjamin F. Butler and Thomas Hopkinson, of Lowell, Otis P. Lord, who was afterwards a valuable judge of the Supreme Court, and many other distinguished men, and it was a special treat to me to hear their discussions and contests with each other and with the members of the Salem bar, which was then still of great importance, and in the absence of theatres, which were up to that time unknown in Salem, these sessions of the court afforded quite as much tragedy and comedy as any ordinary theatre would have done.

The preparation for college was of the best quality then known, and I think quite as good as any that has succeeded it up to the present time. After a full course in the common schools and three years in the high school, covering the ordinary branches of English school education, we had a special school where nothing was taught but Greek, Latin, and mathematics, and all by a single teacher who was a special expert in the preparation of boys for college, although his original training in English must have been somewhat imperfect, as it had not rescued him from the frequent use of the double negative, and the boys in the school amused themselves by getting up an exaggerated example of this as illustrative of his mode of addressing blockheads that came under his hands, something like this:

"You don't know nothing, and you never did know nothing, and it don't seem as if I could not never teach you nothing nohow apparently."

But he was a splendid teacher, nevertheless, and got us all into college with flying colors. I believe that this school has been absorbed now and made a part of the high school, which, in my judgment, was a sad departure from the very best method as it then prevailed in Salem, in Boston, and in Roxbury, the Latin schools of which sent the best-prepared students to enter at Harvard.

This school was claimed to be the first public school in the colony of Massachusetts, although I think that the claim of the Boston Latin School to have preceded it in its origin may have some foundation, but as Salem was founded some ten years before Boston, I have always been inclined to believe that this school was the first in the colony, and that in some way or other it had been continued uninterruptedly down to my time.

At any rate there was inscribed upon the wall of the schoolroom the words "Schola publica prima," and the name of George Downing as its first pupil. Of this antiquity we members of the school were not a little proud, as it seemed to give a sort of historical renown and certainly an interesting tradition to the school.

This George Downing afterwards became a member of the first class that graduated at Harvard College in 1642, where his name is entered "George Downing, Knight 1660, Baronet 1663, Tutor, Ambassador to Netherlands from Cromwell and Charles Second, M.P.," and as the names of the members of the class were then entered according to social distinction of their family his name appears second, as he was a nephew of John Winthrop, the founder of the Commonwealth of Massachusetts. We always enjoyed the idea of having been schoolmates of this celebrity, although two hundred years apart.

I remember referring to this at a lord mayor's dinner in London, in 1902 I think it was, when I was called upon to speak for the diplomatic corps, and I gave them the history of George Downing as I had studied it out for the occasion; how he had been secretary of the treasury in England in 1667, and had represented England at the Netherlands as ambassador from Charles the First, from Cromwell, and from Charles the Second; what a wonderful turncoat he had been to be permitted to represent the Protector as well as the two Stuart Kings who preceded and followed him; how by the favor of Charles the Second he had acquired a vast tract of land in London, in close proximity to what is now the very seat of government, all of which had disappeared except the little cul-de-sac called Downing Street, which leads in

to the Foreign Office, so that his name is stamped indelibly upon the very seat and centre of the British Empire, as I had hoped that it would be upon the school which he and I attended.

When I sat down, Lord Salisbury, who was then prime minister and had made the great speech of the evening, turned to me and said: "Where did you find out all that? I never heard anything about it." And I replied: "Why, I made a special study of it, as I felt I ought to know the history of the spot on which all my official business in England was conducted."

Before I bid farewell to Salem I ought to say that Salem as I knew it when I left to go to Harvard, in 1848, still remains practically unmarred and undisturbed by the late terrible conflagration there. All the streets, highways, and byways that I knew as a boy still remain as they were, and only a great exterior range of buildings, stores, and residences which had been built up since that day were destroyed in the fire, which called the attention of the whole world in 1912 to that ancient town.

There must have been something in the air of Salem or in the tone of the school which gave special vitality to the boys who were educated there, for of my class at Harvard, which consisted of eighty-eight members, gathered from all parts of the country, there are at the time of the present writing five survivors, four of whom entered with me at the Salem Latin School, and from there we proceeded together to the college.

I think that like the other towns on the eastern shore of Massachusetts, which were all of purely English origin, Salem must have retained by tradition many usages of transatlantic origin or derived from the customs of the first settlers. For instance, the curfew bell which, I be-

lieve, still rings regularly as it has for the last two hundred and seventy-five years was certainly an importation from the old country, and the town crier must have been of similar origin. He was employed to give notices of sales, losses of children, losses of dogs, and other important local events. He carried a hand-bell and would stop at each corner as he passed down Essex Street and ring the bell with all his might, and we gathered about him with great interest to hear the news, whatever it might be, as with a stentorian voice that could be heard the length of a block he would utter his important intelligence, while we all listened with mouths and ears wide open. And then there was the local vender, a quaint old Frenchman, old Monarque, whose name must be added to our foreigners of distinction, for he dealt in a very limited number of articles as he drove his push-cart all about the town, shouting in broken English: "Pickledy limes, and tamadirinds, two for a cent a piece." This, too, must have been an old English mode of advertising before the days of newspapers.

In the First Church, of which my father was a pillar, which had become under the influence of Channing a very strong Unitarian body, when they came to install a new clergyman in 1848, instead of having a clerical array of participants to administer the laying on of hands, the service was performed by Doctor Choate, who, as I have said, delivered an address on the occasion, and it was said that the proceedings were exactly like those which had taken place two hundred and nineteen years before when the church was first established.

Wednesday afternoon, like Saturday afternoon, was always a general holiday for the schools, because in the early colony days there was a religious lecture delivered

every Wednesday, and from that time down the Wednesday holiday was called lecture afternoon.

So, also, for hundreds of years all work on Sunday was prohibited, even the necessary cooking for the family. There were public bakehouses to which private families on Saturday afternoon sent their pots of pork and beans, of Indian pudding, and brown bread, which were ready for them hot on Sunday morning and delivered to those who had sent them, and you would see a long string of callers every Sunday morning at the entrance of each of the bakehouses. Sunday began at sundown on Saturday, and nothing but good books were allowed to be read by the children until the sun had set on Sunday afternoon.

We had one great political excitement, the first in which I took an interest at the premature age of eight, having been born in the administration of Andrew Jackson, in his second term, and survived that of Martin Van Buren, which embraced the almost fatal panic of 1837. The nomination of "Tippecanoe and Tyler too," William Henry Harrison and John Tyler for President and Vice-President, excited the enthusiasm of all of us boys, which was brought to a white heat when a huge log cabin was erected, with a hard-cider barrel in the rear and a live coon at the front door, where the constant meetings of this campaign were held. I think nearly all the people of Salem who had suffered from the hard times were for the Whig ticket and were strongly tempted by the cry of "Two dollars a day and roast beef," which was the catchword of that campaign. All the distinguished orators of the country came to speak, among whom I remember notably Tom Corwin, of Ohio, who, after a life of great distinction, afterwards voted against

supplies for the army during the Mexican War and came to an end of his political career. In the election of our candidates there was great universal exultation until, a month after his inauguration, President Harrison died, and John Tyler turned traitor to his party and led the democracy. I well remember attending the funeral ceremonies of President Harrison and listening to a eulogy of the deceased President on Salem common with a crape band on my arm nearly a foot wide, and while I was listening this band was snatched away by some undeserving Democrat, and I went home in tears, whether more for the President or the lost band I cannot at this distance of time state.

I have said that we were not much given to sport, or not at all, but I must make one exception. We played cards a great deal. Father had a theory that if he taught us all the games of cards that he knew or could learn himself, there was no danger of any of the children taking to gambling when they grew up, and so it proved. There was not a well-known game of cards that we were not taught, and the result was just as he had calculated. This, I think, would be a very wise example to follow in every family, especially in these days of auction bridge, which is, I believe, doing much mischief in many a community. It operated just as well as his theory about work did, that if he established a habit of regular work among the children they would become lovers of work for its own sake when they grew up, and so again it proved. Nothing could be more simple, wholesome, and healthy than our bringing-up was, and we all had abundant reason to be grateful for it in our subsequent life.

Our family at Salem consisted not only of the four brothers, of whom I have already said so much, but we

had two sisters, Elizabeth and Caroline, one older and one younger than myself, who, like their mother, proved to be women of sterling character and of the highest ideals. Elizabeth was born in September, 1829, nearly two years and a half before me. They were both very important members of our family. Beyond the public schools at that time there was no provision for the higher education of women. Colleges for women had not yet been thought of, and the only recourse was to select private schools for girls, with which Salem for two or three generations had been richly provided. In my mother's time there was a very celebrated teacher of very high grade named Thomas Cole, to whom the daughters of all the leading families of Salem were sent and reared with great success. He turned them out well-educated and accomplished women, and was very much assisted, as I believe, by Professor Louvrier, who at the same time trained them in foreign languages, and they were followed in subsequent years by a very famous school, kept by Miss Ward, to whom my sisters, with other choice girls of that period, were intrusted with the same success.

Elizabeth was a girl of really fine genius, to whom the acquisition of knowledge came easily by nature. She also came to be a very excellent musician, and was a very bright feature of the family, warm-hearted and most devoted to the rest of us. When she came of age, in 1850, there was every prospect of a brilliant career for her, and she aspired to follow the example of Miss Ward, whose reputation was exceedingly high, and become herself a teacher. For a short time she did assist General Henry K. Oliver, with whom she had been a pupil, in his classes, but, unfortunately, to the great

distress of the family, she within a very few years showed symptoms of that insidious disease, tuberculosis, of which at that time the medical faculty had very little control, and it seemed to be taken for granted that the disease must take its course and that a fatal result, sooner or later, was inevitable. Every effort was made to resist the progress of her trouble by long summers in the country in the hope that the fresh-air cure would benefit her, as it undoubtedly did for a while, but at the age of thirty we met with an infinite loss in her death, which caused the first break in our family circle, and which was sadly deplored by us all. Strange to say, my mother, who lived to be such a noble pillar of health and strength, lost her elder sister at about the same age and from the same hopeless malady. In both instances the surviving sister and all the brothers were wholly free from any manifestations of the infirmity and were lifelong models of robust health.

My sister Caroline, who was nearly three years younger than I and was very charming and handsome, was educated in the same way as her elder sister, and was much beloved and admired, not only in her own family but by every one who met her. At the age of twenty-six she married a charming German, Doctor Ernst Bruno de Gersdorff, who had settled in Salem as a practising physician some ten years before, and he also had become a very great favorite among Salem's best people. He was born at Eisenach in the Duchy of Saxe-Weimar in the year 1825, and was very highly educated and accomplished before he came to this country. His father was for many years chief justice of the Duchy of Saxe-Weimar, and moved in that wonderful circle of learning and culture of which Goethe had been recognized leader, and as the

young de Gersdorff was twelve years old before the death of Goethe he must have been deeply affected and influenced by the wonderful impression which that great poet and philosopher made upon the community in which he lived, and to which youthful minds were so receptive and susceptible. When the stirring times of 1848 came on in Europe and the revolutionary spirit broke out in Germany, which captivated and involved so many young men, de Gersdorff's elder brother was mixed up with some transactions which excited the attention and censure of the government, and he had to leave Germany. As the suspicion of complicity was supposed to have extended to the younger brother also, his father thought best that he should come to America, and he accompanied his younger son to this country, where he settled, as I have said, at Salem. He was full of sentiment, poetical, musical, and devoted to all high accomplishments. He was devoted to art, and was himself no mean artist. After a long and useful life, for a while in Salem and afterwards in Boston, he died in 1883. He was of the same type as Carl Schurz, Doctor Jacobi, and other famous German exiles for freedom, and had the same German culture of Goethe's day, a genial and estimable and highly accomplished gentleman, and left a delightful memory among the people of all classes without distinction of medical schools. His father had been, I believe, an intimate friend of Hahnemann, the famous founder of homœopathy, and he had been brought up as a follower of that leader. He had been educated at Jena and Leipsic, and, of course, was all ready for the practice of his profession when he arrived in America.

Mrs. de Gersdorff was a most devoted and always anxious mother, and at the early age of fifty-five she fell

a victim of her own solicitude. One of her sons had been operated upon at Saint Luke's Hospital, in New York, and she insisted, against the protest of her friends, in taking a room at the hospital to watch his recovery, where she took cold and died in a very few days of pneumonia. She had a splendid constitution and ought, like her mother, to have lived to a very ripe old age. She is still remembered by many surviving friends, to whom she had greatly endeared herself. She left two sons, who graduated at Harvard in 1887 and 1888, and who hold well recognized positions in New York.

HARVARD COLLEGE

We were taught to look forward to graduation at Harvard as the only possible way of entering upon active life, and my first visit to that renowned seat of learning was at the commencement in 1846, when my oldest brother graduated, and I drove up with Thomas Drew, a famous caterer in Salem, who carried a wagon-load of table furniture and supplies for the simple spread of that day. In the church as the exercises proceeded I saw a distinguished-looking man on the front of the platform with a shiny, pointed, and very bald head, and when I asked who that was, it proved to be ex-President John Quincy Adams, who was the earliest President of the United States whom I ever saw, and as he had been the sixth President it seemed to carry us a very great way back.

My brother William and I were always together at school as long as I can remember, for some early illness had retarded his progress at the start, and we went up for our examinations at last in the summer of 1848, and now as I am writing all but five of those who had then graduated at that ancient university have passed away. The examinations for entrance at that date were not formidable, although they covered, I believe, a portion of two succeeding days, and were partly oral and partly in writing. At the close of the second day the list was read off of those who had successfully passed the examinations in the order of the marks they had received, and I was quite surprised to find my name led all the

rest, but William, who was a far better scholar, soon took the lead and held it without any mishap for the whole four years' course.

The transition from the narrow and limited life of our boyhood to the broader and freer life at Harvard at the age of sixteen was quite a startling one. We were now comparatively our own masters, and, subject to the rules and requirements of the college, could do as we pleased, and our eyes opened wide to see what our new freedom really meant. The routine of our physical lives was new and most interesting. Athletics as yet were practically unknown, although there was, if I rightly recollect, a small gymnasium already upon the Delta, where those who wished could exercise every day, but if there was one thing that I hated then and always afterwards more than another it was practising in the gymnasium, and so I had little to do with that. Boston, four miles away, was the great attraction, with all its historical associations and places to visit. I do not recollect ever having been there, or even outside the bounds of Essex County, more than twice before I entered Harvard, and as there was no conveyance to Boston but the omnibus we almost always walked. Walking I have always found to be very nearly the best exercise for health and recreation that anybody could take.

There had been, I believe, a boat club in existence in previous years, but as the members committed some excesses after rowing into Boston to the theatre the club was suppressed with a strong hand by President Everett, and was not renewed until Charles W. Eliot, of the class after mine, with his splendid physical vigor, succeeded in reviving it. Football was not unknown, but it was limited in our time to a single game on the first Monday

of the year between the freshmen and sophomores, and consisted simply of seeing which could force the ball beyond the goal of the other side, without any of the modern devices or contrivances which have brought the game to such perfection under the leadership of Percy Haughton as trainer. There was an attempt, also, to introduce the game of cricket, which had had such distinction always in England, but this also came to nothing.

The walks to Boston and a daily walk to Mount Auburn, with an occasional excursion farther afield, sufficed to keep us in good condition. I took what I thought one very long walk in these excursions abroad. One hot summer night, near the close of the term, in early June, I was walking with my friend and classmate David Cheever, afterwards the celebrated surgeon in Boston, and we got out on the turnpike to a sign that said, "Cambridge two miles and a half; Concord twelve miles and a half," and in a rash moment I said to him: "Cheever, I will stump you to walk to Concord." "All right," he said, and as it was my challenge I could not very well back out, and we walked on. We got up to Concord, having lost our way in going through Lexington, some time after midnight, I could not say exactly when, and being slightly fatigued we stopped at the hotel and asked for a glass of whiskey or brandy, but it was in the days of the Maine law, and the landlord said that it was an absolute impossibility; however, we pressed our claim and told him that we had got to get back to the college for morning prayers at six o'clock. He finally yielded and said, "Come with me," and gave us a delightful illustration of how the Maine law was executed. He led us through a labyrinth of cellars, up against what appeared to be a blank wall, but he touched a spring

and a door opened, and inside was found a barrel with a board across it, a pitcher of water, a bowl of sugar, and bottles of whiskey and brandy, and we took a very refreshing drink. After a tramp of somewhat over thirty miles, as we reckoned it, we got back to morning prayers just as the bell was ringing, and after that we got breakfast and slept for the rest of the day.

I always regretted that the Harvard Washington Corps, which had been in existence in my father's time in college and had given its members a good deal of military training, had long before been abandoned. How much better it would have been for us all if it had maintained its healthful and inspiring existence until now!

Our first year was the last year of the college commons, which down to that time had been maintaining a somewhat precarious existence, and at the end of our freshman year was abandoned forever. It was quite exciting, however, for us to find ourselves for the first time taking all our meals with a large number of our fellow collegians, although the fare was very moderate. The tables were spread in the basement of University Hall, the building in which at that time almost all the college exercises of every kind were conducted, for it held not only the dining-rooms but the chapel, and nearly all the recitation and lecture rooms. The commons were divided into two branches, one at what now seems the moderate price of two dollars and fifty cents a week, and the other, where we had meat one day and pudding the next, and which was, therefore, commonly called "Starvation Hollow," at two dollars a week, but my brother William and I and several of our classmates from Salem of equally moderate financial ability ate in "Starvation Hollow," and found it quite wholesome and sufficient.

The necessary expenses in our first year were moderate enough to startle any modern members of the university as compared with the present schedule. The tuition was seventy-five dollars a year, and all it cost William and myself, who always roomed together, for room rent during our whole four years at Harvard was ninety dollars, which happened in this way. The first year we roomed in Holworthy, and our apartment seemed to us to be royal, for there was a parlor, very simply but comfortably furnished, of course at our expense, and two bedrooms, and the only service we had or thought of was that of the "goody," so-called, who came every day to make the beds and clear up the rooms. The freshman year we were what was called "Tutor's Freshmen," that is to say, Francis J. Child, that famous scholar, who had just returned from abroad and had been made tutor in English, was the parietal officer in the middle entry of Holworthy, and had the best room on the second floor, and we were his freshmen and subject to his call at any time, but the only call that I can remember during that year that he made upon us was a single summons to a student to whom he wished to administer admonition, and for this service we had our rooms free.

The next year we roomed in Hollis, where we had a single room together, of reasonably large dimensions. The third year in Stoughton, where we were similarly accommodated, and the fourth year as seniors again we got into the third story of Holworthy in the east entry, and paid for each of these years the same rent of thirty dollars, fifteen dollars apiece, rooms that I think now rent for many times that amount. But the college then was not so much in need of money, and treated the rooms in the various dormitories, as they had been intended to

be treated by their munificent donors fifty or one hundred years before, as the practically free homes of the students whom they housed. To maintain a fair equity the dean or steward, who had the distribution of the rooms from year to year, assigned those who had the poor rooms, as we had had in the junior and sophomore years, to the better rooms in the senior year, thus bringing us back to Holworthy.

Our dress did not differ substantially from what we had been accustomed to, except that by the college statute, which had been in existence probably from the beginning, each student was required to have for Sundays and exhibitions "a black coat with buttons of the same."

Our first president, who signed our *admittatur* after six months' probation, as the rule then was, was no less a person than the very distinguished orator and statesman Edward Everett, who as a scholar also had had a very remarkable career. I do not agree with those who seek from time to time to belittle this great and distinguished man. He had entered Harvard, I believe, at the age of thirteen, graduated at seventeen at the head of his class, had been pastor of the Brattle Street Church at Boston at the age of nineteen, had followed that up with deep study abroad for several years, and then became in turn tutor and professor at the college, and had been a member of Congress, senator, secretary of state of the United States, United States minister to Great Britain, and governor of Massachusetts, and was one of the best-informed scholars of his time and the great orator of the day. Somehow or other, with all that, he was not well suited to be president of the university, and only held the office for three years, retiring on the

1st of February, 1849, when he was succeeded by the Reverend Jared Sparks, author of the "Life of Washington," who held the office for four years. In the latter part of his time he became disabled, and the office was filled by that great man, the Reverend Doctor James Walker, so that our college papers were signed by three successive presidents.

I always regarded Jared Sparks as the model president of the college of that day, and his three years were truly a halcyon period for the students. He took no trouble about them himself, and did not allow anybody else to trouble them, and when complaint was made of misconduct his usual mode of treating it was to say: "Oh, let the boys alone. They'll take perfectly good care of themselves." And so it proved; but I suppose that according to the standard of an Eliot or a Lowell, especially in later years, the brief terms of Everett and Sparks would be regarded as singularly inefficient.

Mr. Everett was noted for his extreme formality and the great dignity which he maintained, far out of the reach of the students. I had hardly been at college a week when I was greatly alarmed at receiving a summons to come to the office of the president's secretary. I went at the time appointed with fear and trembling, fear that I had committed some unpardonable offense, and trembling lest I should be dismissed, and this conversation took place: "Mr. Choate, the president observed with great regret that you passed him in Harvard Square yesterday without touching your hat. He hopes that this offense will never again be repeated." It never was, but no punishment was inflicted, because down at Salem hat-touching was not very common and the formalities of life were not very strictly observed; but it is

an illustration of his relation to the students, very different from that of Jared Sparks, who was always very glad to see us and never put himself out of the way to trouble us, or that of President Eliot in later years, who stalked through the College Yard without taking notice of anybody, and apparently hoping that nobody would take notice of him, and really a stranger to most of the students.

There were several great public events that happened while I was in college: the arrival of Professor Louis Agassiz, the renowned naturalist, and his employment as professor and lecturer in the college; the introduction of Cochituate water into Boston; the arrival of Louis Kossuth, and the election of Taylor and Fillmore as President and Vice-President of the United States. At any rate they were regarded by us students as very great events, because we had never been witnesses of anything so important before.

I have always believed that the accession of every man of great genius to the teaching force of the university is the most important thing that can happen to it, and that by the prestige of his great name and reputation he does more for the college than almost anything else can do. Exchange professors had not been thought of at that time, and to get the man who was certainly one of the most noted naturalists in the world into our academic body was of truly unique importance. We listened to Agassiz's lectures with the profoundest attention, and he did much to expand our minds and thoughts.

How the people of Boston with its then rapid growth ever got along without pure water it is not easy to conceive, and it is no wonder that all the civic bodies in and around Boston took part in the celebration. I remember

that the whole student body joined in the great procession, which marched through Boston, to celebrate the event of the introduction of Cochituate water, and as I was made marshal of my class with Russell Sturgis I naturally attributed tenfold consequence to the occasion. As Boston has grown its water-supply that then began has grown steadily with it, and now comes from many sources and reservoirs that decorate a large tract of country to the west.

The election of Taylor was one of the immediate results of the Mexican War, in which he had won great distinction, but he was probably as unfitted for the presidency as General Harrison, whom I had assisted in electing as a boy of eight in 1840. His nomination had been declared by Mr. Webster, who should have had it, as one not fit to be made; but as he advised his friends, nevertheless, to vote for Taylor as a safer alternative than the Democratic candidate, we all joined in celebrating the prospect of his election. I remember marching in a torchlight procession the whole length of Boston to the Roxbury line, where, seeing a vacant lot, I made haste to throw my torch into it and returned to Cambridge quite satisfied with my part.

Then in the midst of my college career came the great compromises of 1850, sustained by Webster, Clay, and Calhoun, which we foolishly thought had settled the slavery question forever, although within four years they were ripped to pieces, and the great events that followed led rapidly to the election of Lincoln. The utter collapse of these compromises so quickly after they were made, although they were thought at that time to be of the greatest historical importance, shows how unreliable is the judgment of old leaders who have out-

lived their best powers and have no appreciation of the direction which the nation's progress is taking. Clay and Calhoun both went to their graves in 1850, and Webster followed them two years afterwards, on the 24th of October, 1852.

The reaction of public opinion was instantaneous and almost universal. The great New England statesman's 7th of March speech, in which he took the ground that it was not necessary to re-enact the prohibition of slavery in regions from which, as he contended, the laws of nature and of climate had made its existence impracticable, was a great disappointment to the mass of the people at the North and was construed by them as a bid for the presidency in the next federal election, and as an abandonment of the splendid position that he had previously occupied as the representative of New England sentiment and a lifelong advocate of the restriction of slavery, so far as the Constitution would permit. The doors of Faneuil Hall, that historic cradle of liberty, were closed against his friends, who wished to do him honor by a reception there, a very stupid blunder, for they took to the streets and, erecting a great platform in front of the Revere House, they received him on his return from Washington with unbounded enthusiasm and applause. I was present on that occasion, for I had no sympathy with those who would denounce and destroy him after his wonderful record in the past, and it was a great satisfaction to hear the brief address of welcome, which was pronounced by Judge Benjamin R. Curtis, and Webster's reply. He was still a magnificent specimen of manhood and a noble orator, and as we listened to him we could not but think of the immense services which he had rendered to the country; especially

how for two entire generations he had done all that one man could possibly do to arouse in the hearts of the young men of the nation an intense spirit of nationality and an undying devotion to the great cause of liberty and union. This service did not and could not die with him and counted largely, ten years afterwards, in the grand uprising of the North for the defense of the national existence and honor when the rebel assault upon Fort Sumter gave the signal for the opening of our terrible Civil War.

The other event to which I have referred, the arrival of Louis Kossuth, in 1849, was an event of surpassing interest to all the people of America. We had sympathized with the splendid struggle for freedom which he had so valiantly maintained, just as we are sympathizing to-day with the great struggle of the Entente nations for the overthrow of the same destructive militarism which succeeded then in crushing this great champion of freedom, just as it is now seeking, but without success, to dominate the entire world.

I remember that we were having one of our semi-annual exhibitions, as they were called, in the chapel, in University Hall, on the day when Kossuth arrived in Cambridge at the invitation of the authorities of the university. These college exhibitions usually consisted of addresses or the recitation of parts, by meritorious students, and took place semiannually as rewards of merit. I happened to be upon the programme but had finished my part when Kossuth arrived and was ushered into the chapel by a committee of citizens, and delivered an address in as perfect English as I have ever heard from any English or American orator. As he had acquired this knowledge of our tongue while a prisoner in

an Austrian dungeon, after the collapse of his great enterprise, we were lost in wonder at the readiness of the faculty by which he had acquired such complete knowledge of a new language.

I have seen it several times repeated that on his sudden advent into the chapel I was delivering my part, and that having been brushed aside by his entry, I in some way addressed him after his speech with a tribute of admiration. It was only yesterday (November 27, 1916) that I read in the personal recollections just published by one of my contemporaries at Harvard, this extraordinary statement, that during the interruption caused by his entrance and address, I "seated on the stage formed a Latin period containing a graceful reference to the guest's career, and on arising to resume my part, opened with the extemporaneous compliment in Latin, which brought the Magyar orator again to his feet and, amidst a new explosion of applause, Kossuth replied in faultless Latin, speaking as though it were his native tongue. Nothing could have been finer." This was a pure outbreak of my friend's imagination. I had absolutely nothing to do with it, for Addison Brown, who afterwards was our much-admired admiralty judge in New York for twenty-five years, was on the platform when Kossuth entered, and no address or reference to him was made, as the programme proceeded, except a few words of reception by the president of the university, but it only shows how dangerous it is for men in the ninth decade to write and publish reminiscences, which, up to this time, I have always tried to avoid.

Harvard College at the time I entered it was a comparatively small affair, and as provincial and local as could well be imagined, and the idea of its ever becom-

ing the great national university had, I think, never entered into anybody's head. The students in my first year numbered only 549, including all the professional schools, there being theological students, 19; law students, 96; medical students, 139; special students in chemistry and mathematics, and citizens attending lectures in scientific school, 16; and resident graduates, 6, amounting together to 276; and the undergraduates being divided between seniors, 75; juniors our term, sophomores, 68; and freshmen, 72, amounting in all to 273; the whole comparing strangely with modern years, when a single graduating class has numbered over 500, or nearly twice as many as the entire body of undergraduates at that early period, and the growth of the professional and graduate departments has increased proportionally.

My own class and all the classes of that time were composed chiefly of New England boys, a very few coming from New York, and about an equal number from the South, whose people of wealth had long been in the habit of sending their boys to Harvard. I call it provincial and local because its scope and outlook hardly extended beyond the boundaries of New England; besides which it was very denominational, being held exclusively in the hands of Unitarians. The president and all the fellows constituting the corporation were Unitarians, a majority of the overseers were Unitarians, and I think that a majority of the officers of instruction and government were of the same faith. This caused it to be looked upon askance by the rest of the United States, where that faith had not extended far, and they hesitated to send their sons to Harvard for fear of what they called its heretical tendencies. It is true that at that time the people of Massachusetts were largely of

that faith, and the clergy of that body in that commonwealth far exceeded in intellectual and personal force those of all the other denominations. There was a freshman, when I was a senior, who was destined to exercise tremendous influence in breaking down these narrow barriers and vastly broadening the character and the influence of the college. I mean Bishop Phillips Brooks, of the class of '55, whom I remember perfectly well as a freshman, tall and slender stripling overtopping the rest of his class, in a distant corner of the chapel, and I followed his course with admiration and enthusiasm until, with other men of similar liberal tendencies, he had made the college entirely undenominational and opened its doors, its curriculum, and its associations very wide, so as to admit men of all faiths, and of no faith, and men of all nations to be enrolled in the undergraduate classes. We had compulsory college prayers, held at the unearthly hours of seven o'clock in the morning in winter, and six in the summer, and the rush from our beds at the sound of the bell to the chapel was most unseemly, but Phillips Brooks lived to be the instrument of removing all compulsion, and made the college in a religious point of view absolutely free. Instead of being limited to Unitarian preachers at prayers and on Sundays, it now has a body of religious teachers gathered from all sects and faiths, and various parts of the country, and commands for the service the greatest ability to be found in all, and the annual catalogue now contains the names of boys of all countries and all religions, Christians and Jews, Asiatics, Europeans, South Americans, and those who have had their birth in the islands of the sea, and already it has contributed much by the education of Japanese and Chinese to the modernization of those ancient lands.

The suggestion of such a result in my time would have been received as an absolute impossibility.

Many experiments have been made and much improvement, undoubtedly, has been accomplished in the last seventy years in methods of education, but after all I am inclined to the belief that these varying methods have resulted chiefly in the better development of the youth of inferior and average capacity and ability, and that under them all the men of natural superiority of talents and faculty, determined to get an education and relying chiefly upon their own efforts for this, have risen naturally to the top, and subsequently taken their lead in the life of their time. That is to say, take the ten classes from 1846 to 1856, and they can furnish, as the catalogue shows, a group of men educated at Harvard who can compare favorably with the best men of any subsequent decade in the history of the university. Let me mention a few in this older decade for whom I would challenge comparison with any similar number in any later period. There were Professors Francis James Child, George Martin Lane, and Charles Eliot Norton, and Senator George Frisbie Hoar, of the class of '46; William C. Endicott, of '47; Professor Cook, the great chemist, and Dean Hoffman, of '48; my brother, Charles Francis Choate, first scholar in the class of '49, and his classmate, Horace Davis, president of the University of California; James C. Carter, Thomas Jefferson Coolidge, and John Noble, in the class of '50; Professors Dunbar, Goodwin, and Langdell, of '51; my brother, William Gardner Choate, first scholar in the class of '52, and his classmates Judge Addison Brown, Doctor David Williams Cheever, Professor Gurney, dean and fellow of the university; Professors James Bradley Thayer and William Robert Ware;

Charles William Eliot, and Professors Adams Sherman Hill, James Mills Peirce, and Justin Winsor, of the class of '53; Horace Howard Furness, of the class of '54; Theodore Lyman and Chief Justice James Tyndale Mitchell, of the class of '55; and Charles Francis Adams, Governor George D. Robinson, and Judge Jeremiah Smith, of the class of '56. Take these men as examples, and where in any subsequent decade can you find an equal number to excel them, or perhaps to match with them as the fruit of varying systems of training and education, allowing always for the immense growth in the numbers of the classes from which selection might be made?

There was one immense advantage which the boys of our time at Harvard enjoyed over those of recent years, the classes were so small in number that we became intimately acquainted with each other, much more intimately than at any subsequent period of life with any similar number of acquaintances, understood one another's character perfectly, and formed the closest ties of friendship and a strong class-feeling that continued unbroken through life; while now, as I understand, where the classes are numbered by hundreds, no such state of things is possible, and very few members of any class know in a similar way the whole or even half of their associates. Groups and cliques of friends are formed, but there is no genuine class-feeling in which all unite as in the old days. I think, too, that there was then no such distance between the professors and the students as now prevails. We came to know them well, and it was quite possible for any professor or tutor to become acquainted with and to become familiar with the mental and moral qualities of the members of each division of

the class, for in almost all the courses the class was divided alphabetically into two divisions.

No friendships of after-life begin to equal in ardor and intensity those of college days, and no names ever become so familiar as those of the associates of that early period of life. I have in my bedroom the photographs of eighty-five of our members, all but three of the entire number, in all the beauty and freshness of youth, just as they appeared on Commencement Day in 1852, when we graduated and parted, never to meet again in full ranks. The costumes of that day seem a little peculiar now, for we all wore long hair and high collars and huge neck-handkerchiefs, which long since passed out of fashion. I often put myself to sleep by calling the roll of my classmates, whose names are as familiar now as then.

In our freshman year all the studies were required, consisting chiefly of Latin, Greek, and mathematics, which I still regard as of extremely great value in the training of youthful minds. Our study of the languages was in the main limited to the correct construction of the Greek and the Latin, so as to get the correct and full meaning out of every sentence, and to do that necessarily required great concentration and accuracy and perseverance, traits of enormous value in any subsequent pursuits, and without which any real success in them is hardly possible, but we were sadly lacking in any intelligent study of the glorious history and literature of Greece and Rome, which would have made our studies so much more delightful. Afterwards, with increasing freedom from year to year, our programme of studies was made more and more liberal, and the elective system began to show its effect, although not nearly so much as in later years, for still many subjects were required. A diligent

student was kept pretty busy, for I see by the tabular view of our exercises during the year 1851–52 that our recitations began at eight in the morning and continued with more or less interruptions until six at night, and the hour of morning prayers was at seven o'clock from September to April, and at six o'clock from the first Monday in April until Commencement; breakfast was immediately after morning prayers, and dinner at one o'clock throughout the year.

I chose for my special studies Latin and Greek throughout my college course, and never had occasion to regret it, for the same mental exercises that required perfection in those subjects stood me well in hand all through the rest of my life in solving problems of law and diplomacy, or anything else that I had to work upon. I also found that committing to memory, although never required, was of infinite value as a mental discipline, and have always wondered why it has not been more generally kept up. When I graduated I could repeat from memory the whole of the first book of Milton's "Paradise Lost," and many other valuable gems of English literature, and I wish that I had continued it until the present day, for I am sure that such a habit continued through a long life would keep the mind well stored with the most precious passages of English literature of all times and of every variety, and would be an infinite solace and satisfaction. But I gave up the habit when I left college and became busy in what seemed at that time to be more important matters, and while much that I then learned in that way still lingers in my memory, the most of it has vanished, so that except for the few opening sentences of "Paradise Lost" the only sentence that I can now recall is the one that I found it most difficult to commit to memory and

fix in the gray matter of the brain, and which when once lodged there has never escaped:

> "From Aroer to Nebo, and the wild
> Of southmost Abarim; in Hesebon
> And Horonaim, Seons Realm, beyond
> The flowry Dale of Sibma, clad with vines.
> And Eleale to the Asphaltic Pool."

I am sorry to say that until Mr. Lane returned from abroad to become tutor in Latin we had no first-class teaching in either that or Greek. Too much of our work was routine work, studying the texts of prescribed volumes and reciting by rote, and lectures at first were very scarce, indeed. I remember in our freshman year only one course of three lectures by Professor John Ware, on the "Means of Preserving Health," which were very wise and very good; but as we progressed in later years we had better luck, and by the time we came to be juniors and seniors it was our great good fortune to be able to listen to lectures from Professor Channing on rhetoric, Longfellow on modern literature, Lovering on electricity, Gray on botany, and, above all, the great Agassiz on geology. From all these we really felt that we were learning a great deal, but the most unique, critical, and delightful of all the professors of our time was Professor Edward Tyler Channing, who was Boylston Professor of Rhetoric and Oratory from 1819 to 1851, a period of thirty-two years, during which, as I believe, he did more to form what I may call the Harvard style of speech and writing than any other individual influence. One of the greatest joys of life was to attend his hours, when our themes and forensics, for which he had given us subjects two weeks

before, were before him for examination and criticism. He was a deadly foe of all splurging and extravagance of expression, and to all obscurity of language, and his criticisms were as piercing and caustic as they were delightful. Pruning and weeding out and sarcastic elimination were his great weapons, and if the Harvard men of that time were, as I think they were generally, given to clearness, force, and earnestness, he is very chiefly entitled to the credit of it all.

Our examinations did not amount to much, and I think never did until long after we left college. We were pretty carefully examined on entering to test our qualifications for admission, but never after that, that I can recall, were we subjected to any serious examination or to any written examinations at all. Every year the corporation appointed a board of examiners in each of the subjects into which our curriculum was divided.. They were gentlemen of distinction from various parts of the State of Massachusetts, and I think none from any other part of the country. They were not specially versed, as a rule, in the subjects on which they were appointed examiners. On the day appointed for examination some of them would appear in each department and have seats assigned them on the platform, and sit in silence while the professor or instructor examined us on something that we had recently learned. I do not remember any one of them ever asking any question, and, of course, it was not difficult to receive their approval and even commendation, and it never required any examination to get out of college. Everything went by marks in those days, the accumulation of marks through the four years; eight, I believe, being the highest mark, and from there

graded down to zero. It was well said in one of our mock parts that the Gospel of Mark was the guide to the scholar, and the declaration of Tom Whitridge, of the class of '18, of which my father was a member, that if it had taken as severe an examination to get out of college as it had to get in, he would have laid his bones there, continued traditional and true down to our time.

We got absolutely nothing from the morning and evening prayers. They served merely as contrivances for getting the boys out of bed in the morning and preventing their leaving the college before night. The prayer-makers did not seem to take much more interest in them than the boys themselves, although it was sometimes difficult for them to stop when they got under way, and the story went that at one of the morning prayers the minister delivered himself in this way: "O Lord, we pray thee to make the intemperate temperate, the insincere sincere, and the industrious 'dustrious." So when Phillips Brooks arose in his might and insisted upon abolishing all requirements, it must have been a great relief to the college, and a blessing to all who afterwards cared to attend, as they did in great numbers.

On the whole, my four years at Harvard, from 1848 to 1852, were the best and happiest period of my life, as I believe that they were of most of the boys. We were blessed with all the spirits of youth, with no responsibilities, no cares, and with only the inspiration of our individual ambition. Upon the whole, Harvard College, with its delightful memories and associations, its lofty and well-maintained standards, and its ever-growing greatness and power, has been the best and most wholesome influence upon my life, from the day of graduation,

when I was one of the youngest of her children, until to-day, when I stand upon the catalogue Number 14 among her 14,000 surviving graduates, and to receive the approval of Harvard men throughout the world has always been a sufficient satisfaction and reward.

TRAINING FOR THE BAR

The Law School, when I entered it in 1852, was, like each of the other departments of the university, a comparatively small affair. In our entering class there were only forty-seven, and the other two classes were of smaller numbers. What there was of teaching was done by two professors, and a university lecturer, Judge Joel Parker, who had been chief justice of New Hampshire, and Theophilus Parsons, who had been a very successful lawyer in Boston, and was the son of the chief justice of Massachusetts of the same name. Judge Parker, the Royal Professor of Law, was an exceedingly profound and learned lawyer. He was so erudite and profound that we of the lighter minds really could not successfully follow the action of his, although men of sterner faculties, like Carter and Langdell and my two brothers, got very much out of him; but to me the great light of the Law School, while I was there, was Professor Parsons, a lawyer of much smaller caliber and lighter vein, but who, having had great experience at the bar, had a delightful way of giving us the general principles of law in a manner that made a lasting impression upon our minds, and gave me many points that I remembered and made use of in all my subsequent career at the bar. The university lecturer, Judge Loring, probate judge in Boston, came out for three or four lectures a week on such subjects as did not come within the programme of the two professors. The only course of his that I can remember attending was on the domestic relations, and I can only

recall that he was an exceedingly conservative man, and a good deal behind the age, even for that time. The gist of his discourse upon the marital relations may be judged from the fact of his saying repeatedly the stereotype utterance: "The husband and wife are one, and that one is the husband." The standard at the school was very low at that time. There were absolutely no examinations to get in, or to proceed, or to get out. All that was required was the lapse of time, two years, and the payment of the fees, and not to have got into any disgrace while in the school. With that we were sure of the degree of Bachelor of Laws at the end of the second year. I see that there was a Committee on Visiting the Law School, consisting of very eminent lawyers and judges, all of Massachusetts, but I do not recall their ever visiting the school, individually or collectively, or exercising any of the powers of examiners. Our right to the degree consisted in having attended more or less of the lectures and paid our fees, as I have said.

Nevertheless, we did learn a great deal of law. The library for the time was exceedingly good, and we formed among ourselves law clubs, in which moot courts were held, and cases tried and argued, and briefs prepared and submitted, the elder members acting as judges, and once, at the end of the year, there was a mock trial in which members of the junior class of the college were impanelled as jurors, and members of the graduating class, selected for the purpose, tried the case before them. And what was more, Boston was very near, where the courts were constantly in session, and to which we resorted freely for instruction and entertainment.

It was while at the Law School that I formed a more intimate acquaintance with Mr. Rufus Choate, then at

the head of the profession in Massachusetts, and, I should say, in the whole country, and became very much interested in his personality and in his methods. It is needless to say that he was a wonderful orator, but besides that he was one of the most fascinating personalities that I had ever known. To hear him in court or on the platform or in private conversation was a very great treat, and he was one of the most affectionate and warm-hearted of men. In my last year in the Law School he invited me to go with him on a journey to the White Mountains, and, of course, I eagerly accepted the rare opportunity, and in those three days I learned how fast he was using up his life and his powers. We started from his house in Boston very early on Thursday morning, and got back there very late on Saturday night. We seemed to be going at full speed all the time. The railroads at that date had not opened all the way to the Crawford House, or from there through the mountains, but we took special wagons from the railroad terminus and went at the best speed that could be made, although he seemed to be very much afraid of horses. I remember that when we got to the Crawford House, late at night, it was very cold (and he was always oppressed by the cold), but when we entered the door of the hotel and saw a grand fire of great logs burning in the fireplace, he warmed up at once, and turning to me he said: "Do you remember that grand verse in Isaiah: 'Aha, I am warm, I have seen the fire'?" The mere sight of the blazing logs seemed to penetrate his body at once. Even for that short journey he carried a trunkful of books, as it seemed to me, in Greek, Latin, and English, and although there was not much time to read as we travelled, I have an impression that he overhauled them during

the night and made much use of them. His conversation at all times was most edifying and enjoyable, full of references to delightful things that he had read in books, and lighted up by genuine wit and humor, but he really made a labor of the journey in endeavoring to cover such considerable distances, and to crowd into three days what might well have taken as many weeks in that era that knew nothing of rapid transit. When we reached Boston and got back to his house he said to me: "Now, that is my vacation for this year." It was at this rate that he had worked from the time he left the United States Senate in 1845, and that he continued to work to his untimely end in 1859, when he was a little short of sixty. He ought to have lived to a serene old age, but he literally crowded into his sixty years the work of, at least, eighty, winning great renown, giving vast delight to the men and women of his own time, and leaving such an impress upon the age that succeeded him that, as Mr. Dana well said, the lawyers of America, when they met for mutual conversation and entertainment, found that they could do better by reminiscences of Rufus Choate than by anything that they could themselves present.

It was during my time in college and at the Law School that the trial of the famous fugitive slave cases took place in Boston, upon which the eager attention of the whole nation was turned. The general feeling of the collegians and the members of the Law School tended to be very conservative, for we had been brought up, you may say, at the feet of Daniel Webster, who was chiefly responsible for the compromise measures of 1850, including the fugitive slave law, which professed to be properly devised to carry out the provisions of the Con-

stitution of the United States, requiring the return from one State to another of persons held to service or labor. I do not think that, with the exception of the extreme abolitionists, such as William Lloyd Garrison and Wendell Phillips, there was much dispute as to the necessity of a proper law for that purpose, if we intended to stand by the Constitution, but there was great ground for contention on the subject of the method of bringing about the return of fugitive slaves. All that the Constitution said was that they should be delivered up, and it was well maintained by the opponents of the law of 1850 that that did not dispense with the usual safeguards and guarantees of personal freedom, and that, instead of being tried before a single commissioner, the fugitives were entitled to a trial by jury, as I think they certainly were. But the statute had made no such provision, and so a small number of fugitives were surrendered and carried back by force to their original masters in the South. These few in number, however, had a very great effect in arousing the popular indignation, and were a very important factor in bringing about in a few years the overthrow of the whole system of slavery under the wise administration of Lincoln.

During my two years at the Law School I earned, for the first time, my own living by preparing boys for entrance to Harvard, which consumed about two hours of each day, and in which I found great benefit in reviving and keeping alive my knowledge of the classics, and I discovered that in teaching one learned more than he knew before.

After leaving the Law School, as a third year was required and an examination before admission to the bar, I was privileged to enter the office of Hodges and Salton-

stall, in Boston, and spent a year at my father's home at Salem, going up every day for the purpose by train. Business was not then so driving among lawyers as it afterwards became, and a very considerable portion of my time during that year was spent in attending the courts, where I learned more than I had learned anywhere else as to the trial and argument of cases. There was almost always during the greater part of the year some important trial going on, and in this trial two or three leaders were always engaged. These were Rufus Choate, Sidney Bartlett, and Charles G. Loring. It is needless to say that the trials in the Supreme Court were conducted with the greatest dignity and decorum, and nothing could be more instructive to a student of the law than to sit in the presence of such a tribunal and listen to the trial and argument of cases by three such eminent men. They were nearly the same age, but their styles were very different.

Mr. Choate's exuberant eloquence, with a mind richly stored with a vast wealth of reading and knowledge, and an unbounded human sympathy, made him, I think, the greatest advocate that America has ever known. In the argument of questions of law he was a very close reasoner, with a rich gift of illustration, so that it was almost impossible for him to lose a case that could by any possibility have been won; but it was his fascinating personality that carried all before him with the jury. He never overlooked a fact or an incident that could by any possibility aid his side of the case, and would form a theory upon the facts presented which would commend itself to his conscience and judgment, and win, if it was possible to win, the approval of the jury. His patience, tenacity of purpose, and exceeding good humor

would carry the day over any ordinary adversary. He would not only address the jury as a whole body, but would fasten upon each individual juryman in turn, of whose sympathy he was not already sure, and stick to him until he had mastered him, so that I have no doubt he occasionally won a verdict which any other man would have lost, and which, perhaps, he ought to have lost, although from a long experience in jury trials I am satisfied that in nine cases out of ten the jury decide right upon the evidence, whoever tries the case.

Mr. Bartlett was as unlike Mr. Choate as one man could possibly differ from another. Cold and sharp, and glittering as steel, he would push aside all that the fancy and imagination of his adversary had brought into the case, and hold the courts to the main point, and the jury to one or two cardinal facts, which would compel them, if the case made it possible, to find a verdict for his side. He was very learned, too, but had never, I believe, been such a student as his more celebrated adversary, and he had the rare advantage (I say rare to a great lawyer) of extraordinary business experience and faculties, and an extreme common sense, which, after all, is the thing which ought to govern both courts and juries. With a vast business always on hand, he never wore himself out by travelling on his nerves, to die at fifty-nine, as his chief opponent did, but lived a long, useful, and happy life in the very front rank of the profession, and after arguing an important case in the Supreme Court at Washington at the age of ninety, went home and died of old age.

Mr. Loring was wholly unlike either of the other two great protagonists at the Boston bar. He commanded the confidence of the whole community by his great weight

RUFUS CHOATE (1799–1859).

of character. He, also, had great business ability and experience, and was always master of his case, so that when he spoke to court or juries they not only believed every word he said, but received it with open minds, ready to be convinced. There was never any nonsense about him. Indeed, there was a total want of the sense of humor, and he proved always to be a most formidable antagonist.

No theatre that I have ever attended offered so great an intellectual treat as to sit at the feet of these three great masters of the law, and listen to them from beginning to end of a great argument or trial. It is a wonderful thing for a law school to be in close proximity to a great city, where the students can see and hear justice administered according to the highest and best standards, in courts presided over by learned judges, appointed for life by the chief executive, as up to this day has been the case in Massachusetts, and has secured for the people of that State, at any rate, a government of laws and not of men.

The office of Hodges and Saltonstall, in which I spent a year from October, 1854, to October, 1855, was a most agreeable one. Mr. Hodges was highly skilled in all the departments of the law, but was at that time somewhat out of health, so that we did not see him constantly, but Leverett Saltonstall was one of the most charming, honorable, and high-toned men that I have ever known. He was justly proud of his most distinguished ancestry, running far back to colonial days, and first represented on the Harvard College catalogue by Doctor Henry Saltonstall in the first class of 1642, who received his medical degree at Padua in 1649, and became a Fellow of New College, Oxford, in 1650. He was of a high-strung and

nervous temperament, which made the trial of causes (in which, if he had continued in them, he would have had great success) a very severe strain upon him, although then he was very young at the bar, but it was a great privilege to be associated and in daily contact with him, and I have always looked back upon that year's experience with him with the greatest satisfaction.

It was while with him that I had my first case and earned my first fee, which has always afforded me great pleasure to recall. We were sitting in the office together, one cold winter's day, when two rugged farmers from Vermont came in with a case, which they briefly stated to Saltonstall. They had each had a car-load of potatoes come down by railroad from Vermont, and they were found to be completely frozen on arrival, and the farmers had brought an action against the railroad company for the value of the potatoes so destroyed. The question was whether it was by the act of God or by the negligence of the railroad company that they had been frozen. Certainly the act of God was the immediate cause in creating or permitting the extreme frost, but behind that was the negligence of the railroad company, which should have protected the potatoes more perfectly. It was rather a small affair, and Mr. Saltonstall hardly thought the case was up to his personal position and rank at the bar, but he turned them over to me, saying: "Here is Choate. Perhaps he will take it." As I had never had a case I was very glad to do so. It seemed that the evidence was to be taken before a commissioner in Boston on the second day after, which would give an intervening day for preparation, and I very gladly undertook the job. It so happened that Mr. Rufus Choate at that

time was laid up with a lame knee, but was driving out every day, and on the following day he happened to call at the office for me to drive with him through Brookline, and so we spent an hour together and I told him about my first case. He was very much delighted at the idea, and gave me quite a lot of advice about cross-examination of witnesses, in which he was a wonderful adept, so that I went the next day with the two farmers before the commissioner and spent the whole day in taking the evidence, which I thought would enable them to establish successfully the proposition before a country jury, at any rate, that the loss of the potatoes was wholly due to the negligence of the railroad company, and that the act of God had nothing to do with it. On our return to the office the farmers raised the question of my fee—what it would be. Well, I had never had a fee, and I had no means of ascertaining the value of my services, which I thought were considerable, and I said to them: "Well, it has taken all day. It seems to be a matter of some importance to you. I wish to be entirely reasonable, and I should think that three dollars would be about right."

"Well," they said, "we talked that matter over on the way down from Vermont, and we kinder thought that there were two cases, two car-loads of potatoes, and that a dollar a case, a dollar a load, would be about right." Not wishing to have a contest over my first fee, I gladly accepted it, and they handed me two of the little gold dollars that were current at that time. One of them I gave to my friend and classmate, Darwin Erastus Ware, who, like myself, had never had a fee, and I must have spent the other, but the romance of it was that forty-

five years afterwards, after Ware had died, his widow, looking over his papers, found something wrapped up in paper, and marked on the outside, "Half of Joe Choate's first fee," which she very kindly sent to my daughter, who has since worn it as a charm upon her watch-guard. But this, my first experience in fees, taught me to be forever after very moderate in all that matter.

After going through with the usual examination for admission I was enrolled in the Massachusetts bar in October, 1855, and although I have never practised in that State, I have always regarded it as a great privilege from that day to this to have been a member of the Massachusetts bar.

Having got ready for the practice of my profession and, as I supposed, being qualified to undertake any service in it, however intricate and difficult—a young lawyer is never so good as those just admitted to the bar imagine themselves to be—William and I concluded that before determining where to settle we should make a tour of the Western country to see what the prospects of young professional men were in the various cities of the West. The extreme West then occupied, was bounded by the Mississippi River, for when we got to Davenport, in Iowa, the railroad went no farther; but Cook and Sargent, the bankers there to whom we had letters, kindly said that they were building a new road beyond the river, which already had reached Cedar Rapids, and they were running construction trains on it, and that they would give us a ride on one of these so that we could say that we had reached the farthest possible point West, which we gladly accepted. We did visit many of the principal cities, but to our primitive minds, accustomed only to

the comparatively finished East, everything seemed very crude and rough, and we found that either we were not ready for the West, or the West was not ready for us, although I am satisfied that, if we had concluded to remain anywhere in that region, we should have soon got used to it and, growing up with some young community, would have attained similar positions to those which we afterwards reached nearer home.

Chicago, I remember, seemed to us to be a very unsatisfactory place. It had ceased to be the "dirty little dog-hole," which Judge Parker had described it to us at the Law School to have been, when he first reached it some twenty or thirty years before. It had all the appearance of a great city yet to be, but it was still in its infancy. I remember that the sidewalks were of plank, and sometimes as we walked upon them the muddy water spurted up between the planks.

We were not attracted by the methods of the courts and bar in the cities which we visited. At one then frontier town we heard that the supreme court was in session, and, as our wont was, made haste to visit it. The administration of justice seemed to be going on all right. The jury were in their places, the witness on the stand was being examined or cross-examined by the lawyer, and the bar was reasonably full with something of an audience on the outer circle of the court-room, but there did not appear to be any judge. A close inspection, however, soon revealed the soles of a pair of slippers on the bench, and the judge was reclining behind them, doubtless taking in all the evidence and conducting the case with the same authority, but with much less dignity than we had been accustomed to see in the courts

of Massachusetts, especially in Boston; and so we very easily made up our minds to seek our fortunes nearer home, William, who was much more of a home-body than I, to return to Salem.

EARLY DAYS IN NEW YORK

I had long been fascinated with the idea of life in New York, and was convinced that the biggest place offered the best possible chance for a young lawyer. I had been there once before, in 1851, on a visit, and I remember that the trains from Boston on that occasion stopped at Forty-second Street, and individual cars were dragged by horses from there down to Canal Street, and discharged their passengers who were going farther. I knew almost nobody in the great city. A graduate of the Harvard Law School nowadays coming to New York would find thousands of New Englanders here, and among them hundreds of his personal acquaintances, but at that time it was a comparatively rare thing for emigrants from New England to settle here, especially educated men, and I do not think that there were more than twenty-five Harvard graduates then residing in this city. I brought with me one letter of introduction, however, which proved to be an opening wedge for my professional career. It was from Rufus Choate, who took quite an interest in my fortunes, and addressed to Mr. William M. Evarts, and read as follows:

"Boston, 24 Sept. 1855.

"My dear Mr. Evarts

"I beg to incur one other obligation to you by introducing the bearer my friend and kinsman to your kindness.

"He is just admitted to our bar, was graduated at

Cambridge with a very high reputation for scholarship and all worth, and comes to the practice of the law, I think, with extraordinary promise. He has decided to enroll himself among the brave and magnanimous of your bar, with a courage not unwarranted by his talents, character, ambition and power of labor. There is no young man whom I love better, or from whom I hope more or as much, and if you can do anything to smooth the way to his first steps the kindness will be most seasonable and will yield all sorts of good fruits.

Most truly

Your servant and friend

RUFUS CHOATE."

This, certainly, was a very emphatic letter and manifested wonderful confidence and affection on the part of the writer, and I had to do my best to live up to it in all the after-years.

Mr. Evarts had not at that time attained the zenith of his great fame, for he was then only thirty-seven years old, but he and his firm of Butler, Evarts and Southmayd were already in the front rank of the profession, and, perhaps, the busiest office in New York, with a remarkable clientage. He rose very rapidly to the leadership of the American bar, and was engaged in all the greatest causes of his time, before entering public life and holding the great offices of attorney-general, secretary of state, and senator. He received me very warmly, but it was several months before he could make a place for me in his office. During this time I had quite an opportunity to study New York and to become acquainted with the habits of life there, which were so different from the New England ways, and in the meantime, in the

offices of my classmates, Waring and Norris, and of James Carter, I was studying up the code and learning something about practice.

New York was a very different city from what it is to-day. Instead of being Greater New York, with what the papers to-day say to be a population of five and a half millions, it was simply the Island of Manhattan, with a population of five hundred thousand only, and Brooklyn and the other boroughs, instead of being accessible by tubes in a few minutes, seemed almost as far away as Boston. There was no congestion and no rush anywhere. I remember that shortly afterwards, when the Sixth Avenue railroad with its horse-cars was opened as far as Forty-second Street, which was then the upper limit of the city, it was thought that the final achievement of rapid transit had been reached. You could get into their cars at the Astor House and reach Forty-second Street in forty minutes, which was thought to be wonderful.

My father said to me, when I left home, "I suppose that you will want some money," and kindly offered to furnish me with what I needed, and measuring the probable cost by the standard that I had known in Salem and Cambridge, and not realizing that New York even then was a more expensive place, I said to him that I thought that forty dollars a month would be ample, which I duly received. I found it a very close cut, but was too proud to ask for more, so I found a boarding-place in which my classmate, Addison Brown, was already established, at the corner of Bleecker Street and Thomson Street, which had previously been the residence of General Scott. After he left it several stories had been added, and one or two adjoining houses taken in, so that

it was quite a caravansary. I took a room on the fourth floor, for which I had to pay five dollars a week, for board and room. The room was so small, however, that when I invited anybody to come in I had to stand on the outside, so I soon ventured upon a larger room on the top floor at five dollars and a half a week for room and board, and made myself very comfortable, and the walk morning and evening from Bleecker to Wall Street gave me just a comfortable amount of exercise.

The social world of the city began to open to me in various directions, although in all it was very simple and unpretentious. My earliest acquaintances were with the Quakers, whose welcome was exceedingly cordial, and I have cherished the recollection of it at a very high value from that day to this. The Gibbonses, the Hoppers, and the Haydocks were very remarkable and interesting people.

Mrs. Abby Hopper Gibbons was a wonderful woman with a heart as strong and warm as her head was clear. She was engaged in many charities, and exerted a wide and very powerful influence in the city; and her brother, John Hopper (they were children of the famous Quaker, Isaac T. Hopper), was a miracle of fun and drollery, and at the same time a marvel of devoted loyalty and affection, and he did a vast deal to make my early days in New York extremely enjoyable. He was a lawyer, besides being the agent of the New England Life Insurance Company, and was the soul of hospitality. He was noted for his wit and sprightliness, from boyhood in Philadelphia and all his life in New York.

Philadelphia must have been a very quiet place at that time, for after his father had moved to New York, when he was about twelve years old, complaint was made

to the mayor of the city by two venerable spinsters, sisters who dwelt together in one of the Philadelphia houses, that mysterious visitations were being made to them at night, which they could not possibly account for. It seems that knowing all about them, on a return to the city of Brotherly Love, he had carefully watched their habits and discovered at just about what time they were going to bed, and as their light was put out the window-sash of the room in which they slept together was raised by no visible hands, to their very great terror. When this had happened for three nights in succession they could stand it no longer and complained to the chief magistrate, who replied: "Oh, ladies, you must not be frightened. I think John Hopper must have returned to town."

I remember that Carter, Thayer, and I used to assemble at his house very often on Saturday nights, where he treated us most royally. His wife was a woman of great beauty and of splendid character, who would have graced any station in life. She was the daughter of William Henry de Wolf, one of the famous family of that name at Bristol, Rhode Island, and the young couple had made a runaway match. The indignant father had pursued them, but overtook them too late to prevent the marriage, and contented himself with dealing John a violent blow; but John survived that, and lived to take into his own house his father-in-law with his wife and invalid daughter, and Mr. de Wolf finally died in his arms. They had been for twelve years without children, when, to the surprise and delight of everybody who knew them, a fine son appeared in the person of De Wolf Hopper, now such a distinguished comedian, well known throughout the United States. John was

so wild with joy at the idea of being a father that he could hardly contain himself, and when the boy was about a week old one summer morning, finding him lying naked on the bed, just as his nurse had given him his bath, and wishing the whole world to participate in his happiness, he took him by the leg and held him out of the window. Until the boy grew old enough to run about for himself he used to carry him all over the city every fine day, making a seat for him upon his cane with the crook of his elbow, and in that way they wandered from Forty-second Street to the Battery almost daily. One day he came near losing the boy, for, entering Madison Square with him on his arm (a square which at that time was very greatly given up to nurses and children), he went about among them, exclaiming: "See what a fine boy I have found. Who's lost a boy?" Oddly enough, there was a woman there who had recently lost a baby, and was crazy from the effects of her affliction, and hearing this outcry she seized the baby and claimed it for her own, and John had great difficulty with the aid of police in rescuing himself and the child from her attack. As the boy grew up he thought of nothing but life upon the stage, and I have always thought that all of his comic faculty came to him by heredity from his father.

In fact, his father had always been a devotee of the theatre in spite of his Quaker surroundings. When the celebrated Fanny Kemble made her first appearance in New York he became very much fascinated by her, and was a constant attendant upon her performances. He would exchange his shadbelly Quaker coat for a world's people jacket at the shop of an apothecary, in the neighborhood of the theatre, and buy a ticket to the shilling gallery. One night his father on his return home caught

him going up-stairs at midnight, shoes in hand, and took him to task, and the following colloquy took place: "John, where has thee been?" Now John was always truthful; under every circumstance you could depend upon his telling the truth, so he said: "To the theatre, father." The old gentleman was very much shocked. "What theatre was it, and whom did thee see?" John gave the name of the theatre and the name of the famous actress, which disgusted his father still further, and he exclaimed: "John, I hope this is the first time thee has been to see her." And John replied: "No, father. It is the sixty-third time." The old gentleman was so overwhelmed that he took to his bed again and inflicted no chastisement.

Nothing could be more simple and almost idyllic than the life that these Quakers led, and the house of Mrs. Gibbons was a great resort of abolitionists and extreme antislavery people from all parts of the land, as it was one of the stations of the underground railroad by which fugitive slaves found their way from the South to Canada. I have dined with that family in company with William Lloyd Garrison, and sitting at the table with us was a jet-black negro who was on his way to freedom. The Haydocks, too, were splendid people, and were the progenitors of the Hallowells, who have since held such a distinguished place in Boston. Lucretia Mott, the celebrated female preacher of that day, was also a frequent guest, and I have been to hear her preach at the Quaker meeting-house, which still stands in East Fifteenth Street.

But I was not confined to Quakerdom, for I rapidly met many delightful acquaintances in the city. At the houses of the leaders of the bar, like Daniel Lord, and

Mr. Evarts, and others, I found warm friends, and I remember at a reception at Mr. Lord's being introduced to ex-President Martin Van Buren and his attorney-general, Benjamin F. Butler, who both died within a few months afterwards. The families of Hamilton Fish, and Mrs. Fish's sister, Mrs. Griffin, and George L. Schuyler, and John Jay, and Daniel Leroy were among my earliest friends in New York.

At the house of Mr. Jay, at Bedford, I always found a most cordial welcome from him and his delightful family. He retained unchanged the residence of his grandfather, the first chief justice of the United States, whose name he bore, and there many fascinating historical reminiscences were recalled by him. The grandson, John Jay, was in all respects as high-toned and patriotic as his grandfather, and delighted in nothing so much as in public service. He was one of the founders of the Union League Club, and intensely interested in all measures of reform that came up at that exciting period, which led to the club's formation, and his public services afterwards as minister to Austria were of great value.

Gouverneur Morris was an eccentric character, but a man of very noble nature, as his acts testified, and he, too, loved to indulge in memories of the early days of the republic. I had always supposed that all the public men of the Revolutionary period were spotless patriots, and worthy of all praise, but I have a suspicion that the world has progressed in every generation, for Mr. Morris told me that in his boyhood his father, of the same name, who was our minister at Paris during the French Revolution and the days of the Terror, used to take him with him in his yearly drives from Morrisania to Bedford to visit the chief justice, and there he overheard their con-

versation, as they dwelt upon their early experiences at the time of the formation of the government, and had much to say about the performances of the "damned rascals of the first Congress," as they called them.

I think that it would now be hard to find the spot at Mott Haven where stood the hospitable mansion of Gouverneur Morris, which I often visited. It was a somewhat sequestered rural retreat on the banks of the Kills, where it was quite practicable at that time to fish, but now the whole region has become a part of the city, compactly built and without the possibility of discovering the remains of the Morris mansion. I remember that it contained in one of the parlors a complete set of furniture which had come from the Tuileries, where it had been used by Louis XVI and Marie Antoinette, and was justly regarded as a most interesting treasure.

The marriage of Mr. Morris's father, I believe, had not suited his relatives of the Morris family, who had hoped to be his heirs, as he had long remained a bachelor, and he told me that, when they assembled to celebrate his birth, the health of the new-born child was proposed under the name of Kutusoff, who had at that time become a distinguished Russian general in the wars of Napoleon, and as commander-in-chief of the First Corps of the Russian army against the French had gained a victory, and afterwards commanded the allied army under the Emperor Alexander at Austerlitz.

Mr. George L. Schuyler and his noble wife, a granddaughter of Alexander Hamilton, were among the most delightful people that I have ever known. They were both of really famous historical descent, and their home was an extremely attractive and happy one. Mr. Schuyler was the most genial and delightful of men, never as-

suming anything or taking on airs by reason of his illustrious pedigree and alliance, and always extremely affable and interesting. He told me that he had shaken hands with every President except George Washington. His father, who had been a member of Congress, and was the son of General Philip Schuyler, took George, when he was about ten years old, on a visit to Quincy to call upon John Adams, and shortly afterwards to Monticello to call upon Thomas Jefferson, to be presented to those famous founders of the republic, both of whom shortly afterwards died on the same day, on the fiftieth anniversary of the signing of the Declaration of Independence, which one of them had drawn, and the other had done all he could to promote. This was one of the most striking historical coincidences ever known, for in those days, so long before the era of travel by steam and communication by telegraph, Monticello and Quincy were as far apart as New York and China are to-day, and although John Adams with almost his dying breath had said, "Thomas Jefferson still lives," it was not so, for they died together on the same Fourth of July.

Mr. and Mrs. Schuyler exercised a most graceful hospitality, especially avoiding all ostentation or display, but giving most agreeable dinners, for one of his favorite maxims was that eight was the ideal number for a dinner-party, so that all the company at table could take part in all the conversation. These occasions were very happy ones to remember. He lived to a green old age, always taking a warm interest in public affairs, and transmitting to his children not only the memory of his unspotted life, but a taste for public service of the highest character.

His son Philip took part in the Civil War on the staff

of General Wool, and his daughter, Miss Louisa Lee Schuyler, has exercised a great and most wholesome influence in the promotion of many measures that tended to advance the welfare of the community. I remember taking part with her in her splendid crusade for the rescue of the dependent insane of the State from the prisons and poorhouses of counties and towns, and transferring them to the care of the State itself, which has provided homes of a permanent character for them in all respects suitable for their condition. It was a fight of many years against all sorts of corrupt influences, and she led the way most triumphantly from beginning to end. In many other services she has shown a tact and power worthy of her distinguished progenitors, so that when Columbia University, in 1914, conferred upon her the rare honor of a degree of Doctor of Laws it was universally regarded as a just recognition of her work and character.

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But to return to the law. In the early part of 1856 Mr. Evarts kindly invited me to come into his office, and made a seat for me in his own room, and there I soon got to be very busy. As a prominent Bachelor of Laws of Harvard University and a member of the Massachusetts bar, I had looked forward, of course, to entering immediately upon a career in the courts, but nothing could be further from the actual fact. The world does not need the counsel of boys, either in court or out, but I was determined, if possible, to make myself indispensable in that office, and an easy way soon opened, for they found out that I could write a good hand, and could keep it up at the rate of twelve folios an hour for ten hours a day. There were no stenographers, and only an ancient

scrivener, a regular retainer of the office, and another casual friend of his who was called in occasionally, but they could not keep up with the rush of work. Mr. Butler and Mr. Southmayd used to draw tremendously long papers, and many of them came into my hands to copy, which I did with the greatest avidity, learning a great deal all the time as to the preparation of papers; and many a long document will be found in my handwriting in the county clerk's office and the surrogate's court and the register of deeds of that day. And so I gradually became quite necessary.

I attended courts also at the call of the calendar, and can recall the interesting habits of the bar at that time. The leaders of the bar always appeared in dress suits at ten o'clock in the morning, and the imperturbable George Wood, who was the most famous of the chancery lawyers, as some, I think, were then called, and who was all brain, made long arguments with so little emotion or manifestation of feeling that a story was told of him that always impressed me very much, for it was said that in an important case where he had to make a special effort, one of the tails of his dress coat, when he rose to speak, rested upon the table at which he had sat, and there it remained undisturbed during the whole of his argument of two hours, to the great entertainment of all the bystanders.

The judges of the courts were all highly respectable, but they were very few in number, and they received very small salaries, as compared with those now paid. I think that in the Supreme Court there were but three judges, who held jury terms and equity terms, and then sat together in the general term on appeal. The superior court held a very high place and had a very large com-

mercial business, and there were, I think, three or four judges there, consisting of some famous men like Chief Justice Oakley and Judge Duer, who would have been a credit to any tribunal anywhere. To show how the Federal Government has gained upon the States until almost the entire power of the nation has been concentrated at Washington, there was only one judge of the federal court in New York at that time, the Honorable Samuel R. Betts, and there was hardly business enough for him. He was at quite an advanced age, and often took naps upon the bench, so that the lawyers before him had to raise their voices to a very high pitch to wake him up. But Judge Samuel Nelson, who was one of the greatest lawyers and judges I ever knew, was then assigned to the second circuit, and on very important cases he would come and sit with Judge Betts.

And now how changed it all is! Some ten federal judges holding court all the time can hardly keep up with the pressure of business, and when the courts open in October many branches are holding separate terms, and there is now a bill pending in Washington for adding two new judges to the district. In those days the practice in the federal court was a *terra incognita* to most lawyers, and a very few offices, of which ours was one, had any business there.

The scriveners, with whom as a skilful writer I was intimately associated in my early days in the office, were an interesting lot, most of them Irishmen who had done nothing else since their immigration. Samuel L. Montgomery, the scrivener of our office, known there and to the whole profession as Sam, was a truly interesting character. He had been there for untold years, and had married, brought up one family, and had lost his wife, and

one day he came to Mr. Evarts and said that he was going to be married again. Well, they congratulated him, the heads of the office were much pleased, and gave him a vacation of two weeks for his honeymoon, and made up a nice little purse for him to take the journey with his wife. After the appointed time he returned to the office in finest of spirits, and this conversation occurred between Mr. Evarts and him: "Well, Sam, we are very glad to see you back. Did you have a good time?" "Had a perfect time. Never had such a good time in my life." "Well, where did you go?" "Went to Saratoga, Trenton Falls, Niagara and back." "Did you have time enough?" "Plenty of time." "Money enough?" "Yes, I had some left." "Well, how did your wife enjoy it?" Sam scratched his head. "Well," said he, "the fact is, I left her in Brooklyn."

The other casual scrivener, who came off and on when there was extra work, was named Collins, and one day when he had grown quite old he came to me and wanted help to get into an old man's home. "Well," said I, "Mr. Collins, you don't look as though you needed to go to an old man's home. You look in fine health and condition. How old are you?" "Well, I am eighty-two. I think it is time for me to stop work and go into an old man's home." "I wish," said I, "that you would tell me how it is that you have kept in such splendid condition till eighty-two, for I should like to get there myself in as good shape as you are." "Well," said he, "I will tell you. I have always kept married. I am on my fifth wife now." So I gave him the help he wanted for so worthy an object.

I had always had in mind that I would combine with my professional life as much attention to public services

as was compatible with it, and I had hardly been in the office six months before the great campaign of 1856 came on, when the Republican party was formed, and made Fremont and Dayton its candidates to run against Buchanan and Breckinridge. The object of its formation was, if possible, to prevent the further extension of slavery, which had been made possible by the legislation in Pierce's administration, during which the famous Kansas-Nebraska Act was formed, and left the great northwest region possibly open to the introduction of slavery, the Missouri Compromise of 1820 and the great compromise acts of 1850 having been thrown to the winds. Of course I joined the Republican party, and remember being a member of the Rocky Mountain Campaign Club, which took rooms in the Stuyvesant Institute on Broadway near Eighth Street, not far from my residence, and Charles A. Dana and John J. Townsend and other men of distinction in later years were members. I remember well my first political speech for Fremont and Dayton in the summer of 1856, just after they were nominated. It was made at a meeting held on the roof of our boarding-house in Bleecker Street, gotten up by Judge Brown and E. C. Benedict, long since known as Commodore Benedict, the friend of Grover Cleveland. We assembled after dinner, and I made the principal speech, which seemed to entertain and satisfy the large audience consisting of inmates of the house, and then later before the election I made a still more important speech at Constitution Hall, corner of Thirty-fourth Street and Eighth Avenue. Huge placards were set up in the vicinity, representing an express-train, with General Fremont running the train as engineer, and running over an old buck that lay upon the track representing Buchanan, and under

this in great capitals was a notice that Joseph H. Choate and others would address the meeting, and that victory was certain. It was a very good meeting, in which Mr. Carter and the Reverend O. B. Frothingham took part, giving a religious aspect to the affair. Some fifty years afterwards I found one of those placards in overhauling my papers, had it framed, and sent it to the Union League Club, where, I believe, it is still preserved in the archives as showing an important step in the history of the Republican party.

I had the pleasure of meeting John Fremont in Charles Gould's office in Wall Street before the election, and was impressed with the idea that he was a very light character and contained no great amount of what is known as presidential timber, and it was probably well for us that we were thoroughly beaten. Nevertheless, the campaign, which was well fought (for after all Buchanan was a minority President, and Fremont had a million and a half of votes to Buchanan's eighteen hundred thousand), paved the way for the triumphant election of Lincoln and the saving of the country four years afterwards.

Mr. and Mrs. Hamilton Fish undoubtedly occupied at that time the foremost place in the social world of New York, although he had not attained to the world-wide distinction that he afterwards acquired in his eight years' service with President Grant as his secretary of state. Mrs. Fish, like her sister Mrs. Griffin, was a lady of great charm, and they exercised a most dignified and generous hospitality entirely free from the extravagance and dissipation that has of late marked what is called society in New York City. I regarded it as a very great

honor to be invited now and then to their dinners, where I always found myself among the best people.

A very early admission to the Century Club in 1858 brought me into relations with the most charming circle of men. The club then consisted of something less than two hundred members, of whom almost all the original members of the club, founded in 1846, still survived. Time was not so pressing then as it has since become, and comparative leisure prevailed with them all, so that not only on Saturday nights, but on almost every night in the week, except Sunday, many of these delightful old members were present, and we youngsters sat at their feet in devout admiration. Such men as Gulian Crommelin Verplanck, William Cullen Bryant, Doctor Bellows, the two Kembles, Gouverneur and William, Charles M. Leupp, Jonathan Sturges, John H. Gourlie, and others of great distinction, including many artists like Daniel Huntington, Charles C. Ingham, Frederick E. Church, John F. Kensett, and others of their profession, which always has constituted a very prominent element in the club, formed such a group of character and good fame as can hardly be found at the present day in any club in New York, I think. It was an immense privilege and, in fact, the completion of a liberal education to be thrown among such men, intercourse with whom contrasted very strongly with my simple and secluded life at Salem.

The Century occupied a very modest building in Fifteenth Street. There was no cuisine, and the only refreshments on ordinary nights consisted of oysters, which we cooked ourselves in chafing-dishes, and a favorite drink was what was called a Renwick, invented and in-

troduced by Professor Renwick of Columbia College, containing a little sprinkling of Jamaica rum. Small as the body was, it enjoyed almost an international reputation, and every stranger of distinction that came to the city was sure to be introduced there at the meetings on Saturday night, which were always largely frequented by the members. Thackeray, Tom Hughes, and many other famous Englishmen appeared there, and on my first visit to London, in 1879, Tom Hughes was good enough to take me to a meeting of a club that he had organized in the same name, but which, I believe, did not long survive. At any rate, it never attained anything like the distinction of its namesake.

I ought not to forget one other and very different form of social intercourse, which I enjoyed from the very day of my landing in New York, and that was at Doctor Bellows's church, which still stands on the corner of Twentieth Street and Fourth Avenue, and which was then often spoken of derisively by our orthodox friends as the "beefsteak" or "zebra" church, from its peculiar architecture. It was frequented by a large number of educated and highly intelligent people, largely from New England, and Doctor Bellows was a noble element in the life of New York, and a very eloquent and powerful preacher. I cherish his memory most devoutly as my first, last, and only pastor, and keep his portrait close by me by night and by day in memory of the wonderfully wholesome influence that he exercised upon my personal life. He was a man of most untiring energy, not only in his profession, but in all other good works, and his wonderful achievements a few years afterwards in organizing and maintaining throughout the Civil War

the United States Sanitary Commission, of which he was president, has given him, I believe, a lasting place in history.

Thus it may be conceded that from the outset I enjoyed very choice and unique social privileges, and although in my subsequent busy life I had to curtail indulgence in them somewhat, they have ever been in the retrospect a most satisfactory pleasure.

AT THE NEW YORK BAR

The conduct of law business in those primitive days was very different in every particular from the strikingly commercial methods into which the profession has fallen, or risen, in recent years. For instance, the office of Butler, Evarts & Southmayd consisted of four very moderate-sized rooms on the second floor of 2 Hanover Street, a little building which has long ago been demolished, and the place included in the great banking-house of Brown Brothers & Company. There were only two clerks besides myself in the office and one scrivener. There was no railing, which now marks every office that I know about and which we forbade as long as it was possible, and there were no retiring rooms for the partners and leading associates in the office. Cashier's and accountant's rooms would have been thought absolutely unprofessional, as the lawyers of the establishment did their own work.

It was not long after I had established my prowess as a scrivener, as I have already described, that I gradually began to come into the kind of work to which I had looked forward when I chose the law as my profession, and I had the singular good luck, quite unprecedented, I think, then and now, to serve for some ten years as junior to Mr. Evarts in the conduct of the litigation which then constituted a very considerable portion of the business of the office, and occasionally the litigation into which Mr. Evarts was called as counsel. I learned to prepare the cases for trial and for argument, and then to

assist in preparing my senior for his vastly more important part of the work. At first I was amazed at his wonderful power of assimilating everything that I did, and the extraordinary speed with which he would make himself master of all the questions involved in a case to be tried. For he would come into court, when he found that he could rely upon my preparation, absolutely knowing nothing about the case, and would assume the conduct of it, and in a half-day would appear to have possessed himself of every question to be tried in it, and of every leading bit of evidence to be presented, so that from that time on to the end of the case he was fully imbued with all that was necessary for its proper presentation. I had never seen anything like this mental action before, and never realized, until I came to stand in the same relation to my junior in long subsequent years, that it was simply an acquired faculty to which a man of quick brain and energetic nervous action could qualify himself.

Mr. Evarts, although then only thirty-eight years old, was rapidly rising to the foremost place in the profession, and here I think I ought to say something a little more at large about his wonderful faculties and his extraordinary career.

He was already only a few steps behind the very leaders of the bar at that time. With such men as Francis B. Cutting, George Wood, Charles O'Conor, James T. Brady, Daniel Lord, William Curtis Noyes, and Marshall S. Bidwell he was found to be in daily conflict, and his opinion on important questions was already much in demand. Of these men it is, I think, fair to say that their superiors have never been produced at the New York bar from that day to this.

Francis B. Cutting was, perhaps, the most formidable advocate in court that ever was at work in New York. He was of tremendous physical force, and seemed to throw all his energy of body and mind into the case that he was for the time conducting. He was a handsome creature, and in this respect I think was without an equal. In all the work of the courts, in the examination of witnesses, in the discussion of the questions of evidence, and in the presentation of the case to the court or the jury, as might be, he had no superior, and to be brought in conflict with him led to a rapid education of his juniors. He was in all the leading cases, but his professional career was brought to a sudden end in the trial of the Parish will case in 1858, a case which was one of the very leading cases up to that time in the history of New York on the subject of testamentary capacity. Right in the midst of it he broke down suddenly and finally, so that I think he never appeared in court again. And it shows what a point in advancement Mr. Evarts had already reached that he was called into the case as Mr. Cutting's successor, and proved himself fully equal to the conduct of it; and from that time I think he ranked as one of the foremost leaders of the bar in New York, and, of course, in the country at large.

Mr. O'Conor was by common consent the foremost of the great lawyers of the day. In power of logic, in keen and incisive criticism, in fierceness of attack and defense, and in the complete mastery of the law he was certainly without a superior.

Mr. Daniel Lord was of a wholly different type, but was called upon every day to cope with O'Conor. Immense weight of character, absolute fidelity to the client and the cause, untiring industry, excellent manners, and

never-failing courtesy, especially towards his juniors, were qualities the combination of which made him irresistible whenever he had a fair case to present, and as Mr. Evarts had been brought up in his office and graduated from there some fifteen years before, we looked upon him naturally with the greatest reverence, to which he was fully entitled.

Mr. William Curtis Noyes was another model of professional excellence and success. He was more like the commercial lawyer of to-day than any of his compeers, and was, I believe, perhaps the first example that we had of a counsellor fully qualified to initiate and carry on great corporate organizations, and I think that, up to the time that death struck him from the roll, he might be regarded as the most successful lawyer of his time.

James T. Brady was one of the most delightful men I have ever met. He was a real orator and was largely engaged in defense of criminal cases, although he was quite equal to any civil procedure that might arise; his striking personality as a witty and jovial Irishman fully made up for any lack of legal learning and entitled him to a place in the front rank. He was one of the dearest and most fascinating of men; always frank and open, having, so far as I could see, nothing to conceal and no desire to conceal anything, and he commanded a popularity far exceeding that which at that time, I think, any of his associates in the profession enjoyed. He was always in demand for great public meetings and never failed to make a first-rate speech.

Marshall S. Bidwell was a lawyer of great learning. Descended from a famous lawyer of the same name, he had practised in Canada for many years, and had become the leader of the Liberal party there previous to

and during the Rebellion of 1837, and became so formidable to the government that he was ordered to leave the country, and he moved to New York City, where he subsequently practised law and took a prominent position. He left his name upon the profession by establishing the office which, under the name of Bidwell & Strong, Strong & Cadwalader, and now Cadwalader, Wickersham & Taft, has maintained such an enviable position in the city.

Among this group my senior found a fitting place in the legal world and was constantly engaged in the most vigorous kind of work. I regret very much that although fifteen years have passed since his death no adequate memoir of Mr. Evarts has as yet been produced, and the number of those who knew him well is rapidly diminishing. Taking him for all in all, he was the quickest-witted man that I have ever known on either side of the water, and in the course of a long life I have met many of the foremost men of intellect and action, both here and in Great Britain. Nothing could possibly escape him, and his mind seemed to flash instantaneously, no matter what was the subject that engaged his attention. He was exceedingly fortunate, too, in being at the height of his powers during the most interesting period of our history, and it so happened that four or five of the greatest and most interesting causes that have ever engaged the attention of our courts came when he was at the head of the profession, and as such was naturally called upon to take a leading part in them.

The Lemmon slave case, in the court of appeals at Albany, involved most interesting questions in regard to the application of the Fugitive Slave Law, and he was retained by the State of New York as counsel to main-

tain the right of the alleged slave to his liberty. It happens to few lawyers in a single life to be called on to lead in four such cases as the Geneva Arbitration, the Electoral Commission, the impeachment of President Johnson, and the trial of the case of Tilton against Beecher.

The Geneva Arbitration was the one great historical case which would form a fitting ornament and achievement of any great professional career. He had very powerful associates in Caleb Cushing, of Massachusetts, and Morrison R. Waite, of Ohio, who afterwards became chief justice of the Supreme Court, and was opposed by Sir Roundell Palmer, who for his great services in the case was afterwards raised to the peerage and became Lord Chancellor of England, as Lord Selborne. It was a case of truly international importance, and may safely be said to have attracted the attention of the whole world. It was a natural sequel to those alarming differences which had arisen between the two countries out of the conduct of Great Britain in letting out the *Alabama* and the other sea raiders to prey upon the commerce of America during our Civil War, and which, in effect, did really destroy it for the time being. I do not suppose that any legal controversy ever enlisted and excited the feelings of the people of two great nations so much. He led with great distinction and had the good fortune to be the winner of the case, which resulted in what I believe to have been the largest pecuniary award ever recovered in such an arbitration, and when he returned to America, bringing his sheaves with him in the shape of fifteen millions of dollars as the result of his efforts, the enthusiasm with which he was met knew no bounds.

This was the finest laurel Mr. Evarts ever won, and from the novelty and world-wide interest in the case,

it is, perhaps, the most notable professional achievement that ever fell to the lot of any American advocate. Making full allowance for all the aid rendered by his distinguished associates, there is no doubt that he is entitled to the chief credit for the grand result, and the pecuniary success of it was nothing compared to its immense value as establishing the supremacy of arbitration as the only sure means of settling international quarrels between great nations, for this question had been threatening war from the time of the escape of the *Alabama*.

The trial of the impeachment of President Johnson was one of the grandest and most thrilling legal conflicts that has ever taken place anywhere. The President had undoubtedly been guilty of very imprudent conduct, but the narrow technical issue on which the case chiefly turned, his alleged violation of the Tenure of Office Act, raised a constitutional question which should easily have protected him before any tribunal. It seemed to me at the time that the impeachment of the President was one of those high-handed and desperate attempts which are sometimes made in seasons of great party excitement, not only to oust the President from office, but for the time being to paralyze the executive office itself, and to usurp on the part of the House of Representatives the whole executive power of the government. The purpose of the impeachment, if they could succeed in removing the President, to put the office in the hands of an extremely zealous leader of the party, was never disavowed, and so it required, as it seemed to me, great courage on the part of Mr. Evarts, who had been a lifelong Republican, to accept a retainer from the President, and to maintain his cause and the integrity of his great office to the best of his ability. His conduct of

the case as a forensic performance will never, I think, be forgotten. He was associated with two great lawyers, both of whom were considerably older than himself, William S. Groesbeck, of Cincinnati, and Judge Benjamin R. Curtis, of Boston, but Mr. Evarts had to bear the brunt of the case and was found to be not only physically but mentally fully adequate to the occasion. His extreme readiness on the floor, his startling wit, his broad ability to grapple with all the legal and constitutional questions that arose, made him a very conspicuous figure in the case. It may be, and I think it is the case, that as the Senate, which formed with the Supreme Court the tribunal to hear and determine the case, was then constituted, it would have been impossible to obtain the two-thirds vote necessary for a verdict of removal, for there were a number of senators in whose minds patriotism was before party, and I have always regarded it as one of the most brave and public-spirited triumphs of good conscience that seven senators were found, under the lead of Mr. Fessenden and Mr. Trumbull, to defy the imperious dictates of their party and vote for acquittal of the President.

The Electoral Commission was a very rare and an absolutely unique form of litigation as a means of settling a contested election for the presidency, and although it had no international bearings, it put to a severe test the possibility of adjusting such a contest without resort to force. If Mr. Tilden had been more pugnacious and had really claimed what his followers all believed—that he was entitled to a plurality of votes of some two hundred and fifty thousand—a contest of force for the position might well have taken place, as General Grant, then President and commander-in-chief of the army and navy

of the United States, would certainly have resisted the claim. It was a very happy outcome from a most dangerous issue, and the counsel who conducted the controversy before the commission, of whom Mr. Evarts was the chief on the Republican side, are entitled to the very greatest credit for their devotion to the case.

By virtue of the extreme prominence of the part taken by Mr. Evarts in the Geneva Award and in the Electoral Commission, he was practically compelled to devote the rest of his life to the public service, and in the great offices of attorney-general of the United States, secretary of state, and senator from New York he certainly rendered admirable service to the whole nation. There is no doubt that notwithstanding the result of the Electoral Commission a cloud of doubt and suspicion rested upon the title of President Hayes, and it was by the happy selection of a very powerful and public-spirited cabinet, of which Mr. Evarts was, as secretary of state, at the head, that this embarrassment was completely overcome, so that the administration of Mr. Hayes will be found to rank very high in the history of good government with any that preceded or followed it.

The case of Tilton against Beecher was not only infinitely curious and interesting, but its conduct on the part of the defense, in which Mr. Evarts led, was one that called forth the highest powers of advocacy. The most distinguished clergyman in the United States was put on trial for alleged acts of gross immorality, of which he doubtless was entirely innocent. The trial occupied many weeks, and of course every word that was uttered in the court-room was bruited abroad throughout the country as far as the press could carry it. The arguments in summing up were of inordinate length, Mr.

Evarts's, I think, occupying nine days, or seven days, and Mr. Beach's for the plaintiff nearly as long; but the whole history of the case, every consideration and circumstance that could possibly have any material bearing upon the issue, were all contained in the first day of his seven days' argument. Mr. Evarts must have been in complete sympathy from the start with his distinguished client; they were both of that stern old Puritan descent, origin, and discipline which had continued in Massachusetts and Connecticut undiluted down to their time, and I have often said to Mr. Evarts that I thought his own mental and moral qualities were as fully displayed in his first day's argument as those of his great client.

Thus it appears that Mr. Evarts easily held to the end of his days the well-earned post of the greatest and most famous advocate at the American bar.

Such was the man with whom, from a point midway in his great professional career, I was closely associated until his death forty years afterwards, and the digression which I have made to sketch his character was necessary to show the very unusual and, indeed, unique advantage that I enjoyed from the very outset of my young professional life. I cannot recall any other instance of a lawyer in America having such an advantage at the start. In England, where the distinction of the profession between barristers and attorneys is strictly maintained, there is a somewhat similar relation at times established between the leaders of the bar and their juniors. For instance, I have heard that Lord Haldane, who came afterwards to be Lord Chancellor, after a most distinguished professional career at the bar, especially in the chancery side of the practice, "devilled," as they

call it, for twelve years at the beginning with Lord Davey.

Lord Davey, himself, had been very eminent at the chancery bar, and is believed to have had the largest professional income of any lawyer there from private practice, not including those who had held the office of attorney-general, or solicitor-general, and had in those days been permitted to continue their private practice at the same time, and who, of course, enjoyed in the matter of fees a very great advantage. For instance, it was the common talk of the profession, when I was in England, that Sir Roundell Palmer, already referred to as the leading counsel for Great Britain in the Geneva Arbitration, had in one year, while attorney-general, realized the net sum of fifty thousand pounds, but it was also said that he worked for it day and night the year round, from Monday morning until Saturday night, and that one day, when Mr. Goldwin Smith needed very much to see him and called at his chambers for the purpose, his clerk said: "Is it absolutely necessary for you to see him?" To which Mr. Smith replied that he thought that it was. "Well," said the clerk, "if you say it is necessary, you can see him, but I would advise you not to, for he hasn't been in bed since Sunday night," and this was Thursday.

The devilling process consisted very much in what I did so long for Mr. Evarts, working up the cases, studying the questions, preparing a brief or memorandum for the senior, and being kept for the time somewhat in the shade, but when Lord Davey was raised to the bench, Lord Haldane, then, of course, Mr. Haldane, came into full possession of his reward, for he immediately succeeded to about half of the business that Lord Davey

had enjoyed; and, throwing off the devil's mask at once, came into a place of great prominence in the profession. So I enjoyed during my term of ten or twelve years of subordinate service all the advantages which are open to the young English barrister and which are almost wholly unknown here, and I never can sufficiently express my obligations and gratitude to Mr. Evarts for giving me this great opportunity.

But I am getting a little ahead of my story and must go back to the beginning, when I entered the law office in Hanover Street as a student in January, 1856. After I had been there about six months the firm proposed that I should remain with them for a year as a clerk, there being only two others occupying that relation. I was to receive five hundred dollars. I gladly accepted the offer and thought myself very rich, and I think that I enjoyed that five hundred dollars more than I ever enjoyed the greater individual fees which came to me in after-years, for I was immediately able to write to my father that he would not have to send me any more money, as I could take care of myself, and so relieve the poorly furnished family purse of that much of the drain upon it. After a year, at the beginning of 1857, the firm proposed that I should continue for another year, and as an inducement offered me a salary of eight hundred dollars, and that I might do any business of my own that should happen to come to me, and in that year I received, besides my salary, about five hundred dollars in fees, so that at the beginning of 1857 I really thought myself a Crœsus. My financial ambition was not very lofty, for I remember very well feeling and saying at that time that, if I could ever find myself the owner of accumulations to the amount of ten thou-

sand dollars, I should be perfectly satisfied and never want more.

At this time, too, my large earnings of one thousand three hundred dollars a year enabled me to begin to accumulate, for I have always thought that it was the duty of every lawyer to begin to provide for his future in that way as soon as possible. I never went quite to the extreme of Mr. Southmayd, who used to preach the doctrine of self-denial very urgently, and declare it to be the duty of every lawyer to accumulate his entire professional income from the start. "But," said I, "it isn't everybody that can do that, for we must live." "No," said he, "that doesn't follow; that is not at all necessary." It had not been necessary in his case, because he, fortunately, lived at home and had no expenses except for his clothes, and those were simple and modest, for he always patronized the same tailor, and hating to go to be measured or to try on, he fell into the habit of sending a semiannual message to his tailor: "Two suits like the last." So, for his sixty years, there was never any change in the fashion of his garments. But there is no such wonderful rule for a young lawyer, no such aid in his personal advancement, as to begin to accumulate as early as possible, no matter how little, for he begins in that way to have income that earns itself, wholly independent of his own exertions.

Thus I continued in the office of my superiors for about three years, until in 1858, seeing no prospect of any further advance in that office and feeling myself already fledged, I struck out for myself and opened a law office in Wall Street in partnership with William Henry Leon Barnes, a year or two my junior. Both of us were in the same line, ambitious to become court lawyers, he having been

for a year or two with Mr. Charles O'Conor, as I had been with Mr. Evarts. Possibly we might have done very well in long-continued partnership, although I have my doubts about that, because we were too much in the same line; but he got married and went off for a very long wedding-tour, which took him to Europe for several months.

In the meantime, Mr. Evarts began to approach me with new overtures, asking at first if I did not know of any young man whom they could get to come in with them to help in the business of the firm. Of course I said I did not. But he from time to time continued his approaches, and finally said: "You don't seem to understand what I am after. We want you back in the office, and to come in as a member of the firm." Of course I could not resist this splendid opportunity, because the firm was certainly at that time the leading firm in the city. So the firm Choate & Barnes was dissolved, and Barnes, who was certainly one of the most brilliant young men of his time, went to try his fortunes in California, where he became connected with one of the foremost lawyers there, and had a very successful career.

I wish that I could find the letter that Mr. Evarts wrote to me stating the terms on which I could come in with them, for in a few words it furnished a very good illustration of the situation of the bar at that time, so far as money was concerned. The idea of lawyers making great fortunes appears never to have occurred to anybody. The law was a strict profession, and was satisfied with ordinary and reasonable rewards. He wrote that they would like to have me join the firm as a partner, and that I should receive fifteen per cent of the income, not including, however, his own counsel cases,

those in which he was employed by other lawyers and with which his firm had nothing to do. He added that while he could not state exactly what this would amount to, he thought that I might safely count upon at least three thousand a year. This would make the entire office income twenty thousand dollars, instead of the half million which I understand in these later days some law offices enjoy. Well, I thought that my fortune was certainly made, for it had never occurred to me that in five years after leaving the law school I could come into such an income as it would give me, and which, I suppose, measured by modern standards, was equal to four or five times the amount to-day. From this time forward I not only had the great privilege of working with Mr. Evarts, to which I have already referred, but gradually began to be employed independently of that. The mere fact of my having been taken into so distinguished a firm gave me a sort of personal standing of my own, and clients began to come to me, and sometimes in Mr. Evarts's absence, and especially in the absence of the other members of the firm, I was called upon in emergencies to act for myself. By dint of untiring industry and reasonable ingenuity and, I must admit, some audacity, I began to make headway quite rapidly.

I remember very well my first great constitutional case, which was as amusing as it was audacious. General James Watson Webb, who had been an intimate friend of Mr. Evarts and Mr. Prescott Hall, and a lot of other prominent men and good livers in New York, and who had been editor of *The Courier* and *The Enquirer*, and a loyal supporter of William H. Seward, came into the office one Saturday afternoon and inquired for Mr. Evarts. Of course Mr. Evarts was never there on Satur-

day afternoon, and he said, "Well, then, you must help me," and he stated his case. He had just been appointed minister to Brazil by President Lincoln, and had made all his arrangements to sail on the following Wednesday, when, to his infinite surprise, he had been served with short summonses, as they were called, in the Marine Court, which were returnable on the following Tuesday, one day before he was to sail. As several parties to whom he was indebted for these small sums were acting together, he had found out that there was a conspiracy among them to get judgment on Tuesday and to seize his trunks as he was going on board the steamer, and so prevent his sailing altogether. They were probably the parties from whom he had got more or less of his outfit.

"Well," said I, "General Webb, what is your defense?" "I am sure I don't know," said he. "Have you had these goods?" "Yes." "Have you paid for them?" "No, I had no money." "Well, how came they to sue you in the Marine Court, of all places in the world?" "Well," said he, "it is just as I say, a conspiracy to prevent my sailing. You must put in a defense." I reflected and said: "Well, I will try, but I am not at all sure that it will succeed." "Do the best you can," said he. "Have you got your commission?" I asked. He took it out of his pocket signed Abraham Lincoln, President; William H. Seward, Secretary of State, and with a big seal of the United States upon it which looked as big as a large platter, and which I thought would make a great impression in court, especially in the Marine Court, which was a small municipal tribunal of very limited jurisdiction. So I interposed the plea that by the Constitution of the United States the Federal

Courts had exclusive jurisdiction of all suits affecting ambassadors, public ministers, and consuls, and on Tuesday, the return day, I appeared in court and interposed that plea. A very eminent lawyer of that day, many years my senior, appeared on the other side, and proposed to pooh! pooh! me out of court. "Why," said he, "your Honor, Mr. Choate is endeavoring to impose upon you. The clause in the Constitution of the United States, to which he refers, giving the Federal Courts exclusive jurisdiction of all suits affecting ambassadors, public ministers, and consuls, refers only to *foreign* ambassadors, public ministers, and consuls." I insisted, on the other hand, that there was no such word as "foreign" in the Constitution, and that the clause in question included all ambassadors, public ministers, and consuls. "Will your Honor please send for the Constitution, and then, perhaps, we shall see who is trying to impose upon the court." So the Constitution was brought and read, and it turned out that I was right. The word "foreign" was not in it, and we argued it to and fro on the reason of the thing, and Judge Henry Alker, who held the court and was half Irishman and half Frenchman, and a brother-in-law of James T. Brady, to whom I have already referred, took the papers for consideration, and in the afternoon he rendered a decision in my favor, dismissing all the cases, and the general went on his watery way to Brazil unimpeded by judgments or executions. It was quite a professional triumph, and the best of it was that in due time I sent to the general a bill for my services, of which he never took any notice. But I have heard cases argued in the Supreme Court at Washington, constitutional cases, too, which had very much less merit in them than the one which I then presented to the Ma-

rine Court with so much success. The Supreme Court of the State, however, to whom one of the creditors had resorted when the case came on there in the fall, laughed the defense out of court, and the creditors found ample means to recover judgments, which, probably, were not worth much more than the paper on which they were written.

I worked like a Trojan at the law. For nearly forty years (to be exact, for thirty-seven years), until I had the honor to be appointed ambassador to England in 1899, I labored steadily at the preparation, trial, and arguments of cases in the courts, with hardly a break from the first Monday of October round to the last Friday of June. In the course of that time I disposed of an enormous number of cases, steadily growing in importance and difficulty, and without any failure of health. This was a rare blessing, for almost every lawyer that I have known who has worked under the same pressure, and there were very few of them, suffered at least one breakdown, which disabled him for a time.

When I came to see how the English lawyers work and how they are relieved by frequent holidays, I wondered that we had ever maintained our arduous struggle through the year without breakdowns. There the courts come in in October and continue their sessions for eight or nine weeks until Christmas, when they have a two weeks' holiday, and every busy barrister drops his briefs and makes for the Continent or for the mountains, and has a real period for rest and recruiting; then they come in again and work for eight or nine weeks more, which brings them to the Easter recess, another real holiday of ten or twelve days with the same advantage; another eight or ten weeks of work and Whitsuntide arrives (a

third intermediate holiday of which we know nothing and which we ought to borrow at once); and then a fourth term of eight or ten weeks of work, which brings them up to the 12th of August, when the law is off on grouse, and courts and barristers, kings, lords, and commons disappear for the long vacation of twelve weeks. No wonder that they hold out better than ourselves, and that nervous breakdowns are rarely heard of over there! But with us it is, in the case of busy barristers, a continuous and almost uninterrupted nervous strain for nine months of the year.

It would be hardly worth while to recall even the names of the cases in which I was constantly engaged in the earlier half of my professional life. The foundations were being laid for the subsequent superstructure of professional success. I had a great liking for jury trials, and it always seemed to me that the lawyer who is constantly engaged in that branch of legal practice leads a more intensely intellectual life than almost any other professional man.

MARRIAGE

Having reached the point where I could not only support myself, but a family, I naturally thought of getting married, but had never met my fate in this respect, nor encountered a woman who answered all my ideas. But one day my friend John H. Sherwood said to me: "I want to introduce you to a young lady who I am sure will exactly suit you, and, if I am not mistaken, you will suit her equally well." He must have been a wonderful judge of character to make so bold a prophecy, but he proved to be a real prophet. Not long afterwards, I think by his arrangement, I was invited to dine at the house of Mr. Thomas P. Rossiter, then a noted artist and very prominent in a social way among the artists of New York at that day, and there I met Miss Caroline Dutcher Sterling, the daughter of Frederick A. Sterling, of Cleveland, Ohio, and I very soon found that it was as Mr. Sherwood had said. But there was a serious difficulty in the way. She was living at the house of her cousin, Mrs. Rossiter, and had come to New York for the purpose of studying art, intending to devote herself to it as a profession for life, with great prospect of success. She was some five years my junior, and was as earnestly devoted to art as I was to the law, so that we were both most unfortunately busy, and the worst of it was that she had made a vow of some sort never to think of anything but art. In fact, she wore a wedding-ring on which was inscribed the words "Wedded to art," and the date, some time before I knew her. However,

I followed up our first acquaintance with great persistence, and found that the more I saw of her the better I liked her, and came to know that she had all the traits that I wanted, and that I must stake all my fortunes on that die. Still that plaguey wedding-ring stood in my way, but there is no rock so hard but that a little wave will beat admission in a thousand years, and after a while I found that she began to relent, and that my prospects were brightening every day, so I pressed on, and on the Fourth of July, 1861, the beleaguered fortress yielded,* and I celebrated that anniversary of our national independence by sacrificing my own independence for life. The old wedding-ring was put aside, and on the 16th of October, in that year, I put another ring upon her finger, which continues there to this day.

* The following self-explanatory verses, which were found among Mr. Choate's papers, are interesting, as they were written on the Fourth of July, 1861, to Mrs. John Jay, at Katonah, in Westchester County. The manuscript of the verses was discovered by Mrs. Jay among her papers and returned to the writer.

"My dear Mrs. Jay—

Words are weak to convey
The chagrin and dismay
Which it costs me to say,
I must still disobey
You: nor come, on the Fourth, to Katonah.

But that day of parade
I have vowed to a maid
Of whose wrath I'm afraid
Lest my word, once betrayed,
She may leave me for life to bemoan her.

She is youthful and fair,
With the saintliest air,
And her sunny brown hair
Decked with lilies so rare
Descends on the rarest of shoulders.

And hard were the case,
But the wonderful grace
That's enthroned in her face
Would win her a place
In the hearts of the coldest beholders.

Upon the whole, it was the most fortunate day of my life, for although fifty-five years and more have fled, I think that neither of us has ever had occasion to regret it. In all that time we have had some very severe trials and afflictions, but for all that have had abundant and ever-increasing cause to be thankful. She is fully entitled to the better half of all our prosperity and success, and now, as the end of life approaches, we do, indeed, find ourselves blessed with all that should accompany old age, as honor, love, obedience, troops of friends.

For the first year of our married life we went to board with her aunt, Mrs. Carr, in a pleasant little house on Twenty-third Street, just east of Fourth Avenue. It was destroyed a few years ago, but the marks of it still remain on the side of the adjoining mansion of much greater pretensions against which it rested. In the spring

And then, such a mind!
Why, I may be stone blind
But if you can find
One as pure and refined
And as rightly inclined
You must let it appear in the sequel.

And then, as for her soul,
While our planet shall roll
You may ransack the whole,
From Equator to Pole
But will never discover her equal.

She's so free from all taint
That men call her a saint,
And she may or she mayn't
Lend an ear to my plaint,
But my heart is not faint
And my lips with all praises have blest her.

Now I trust you'll excuse
This poor plea of my muse,
Since I cannot but choose
For this cause, to refuse
What it grieves me to lose—
A kind welcome once more to Westchester."

of 1863 we ventured to go to housekeeping, and hired for six hundred dollars a year a modest house in West Twenty-first Street, No. 93, afterwards changed to No. 137, which we occupied for six or seven years until it would hold no more children than four, with whom we had already been blessed.

When we look around us in these days and see how children of our acquaintance are in the habit of commencing married life on the scale which their parents have already attained, we sometimes wonder how we ever had the courage to embark in it, but those were very simple days, and we were able by dint of a reasonable frugality to lay aside from year to year about half our income, which, being steadily continued, soon removed all danger of the wolf coming to our door.

THE LIFE
OF
JOSEPH HODGES CHOATE

JOSEPH HODGES CHOATE

CHAPTER I

IN SALEM AND AT HARVARD

A LETTER FROM SALEM—CAMBRIDGE AND HARVARD—SPARKS AND EVERETT—ANTISLAVERY DAYS—GEORGE THOMPSON, ABOLITIONIST—THE FLOW OF THE UNDERGRADUATE SOUL—INSPECTING THE NEW WEST

Following the record made by Mr. Choate himself of his ancestry and childhood in Salem, his college years and start in his profession, there now proceeds the story derived from his early letters of a clever and cheerful young man, well born, dutiful and diligent, of excellent habits and admirable talents, and of what he sought in this world and what he found.

It will be remembered that the world he was born into was by no means the one to which we are now trying to adjust ourselves. His course was run in the world that was and is no more. It started at a notable time, covered a remarkable historical period, and reached to within plain sight of the end of the cycle it belonged to. The story of his career is the story of a man who was fond of that world and of many people in it, enjoyed it, laughed at it, helped it on its way, and took his toll of it as he went along.

Some of the letters reach back into the period which he has himself incompletely treated. "My dear Sisters," he writes in June, 1848, having then reached the maturity of sixteen years, "though not much acquainted

with the art of letter-writing, I venture to do my best, as mother is too busy. As you might suppose, we are all very lonely without you; to sit down at the table with four only instead of our usual good, round number, is for us 'bad enough.' "

Already he is a writer who can arrange his words in a good order. He proceeds to the extent of two large pages and a half, as follows:

"George dined in Boston on Wednesday, said they were all well there, saw Martha, and her little girl, which he said was very pretty *indeed*, a *great deal*, I think, for *George* to say. I met Mrs. Saunders and her daughter, Mrs. Cleveland, Thursday evening, coming up from the cars; they had just returned from Boston, said they were expecting Mrs. Darling home every moment, so that I suppose she is or will be *today*, in Swampscott, as she intended to go the day after her arrival, and her uncle Alex and family have been there several days. Mr. Spelman has hired lodgings at a *boarding house* in Roxbury. Mr. Darling accompanied his wife as far as Cincinnati. I believe it is now decided, that she will not return again with her husband to New Orleans. She has had too hard experience this time, for I imagine, the care of *two* babies, in the *double journey*, as well as living at the Hotel with them, would be considered hard. You can tell about such things, however, better than I, so that I should only be laughed at, by you, if I should attempt to make any further remarks.

"The nomination of Genl. Taylor was received here by the Whig party, with very good grace, although some of them were very much disappointed. Our whole body of merchants, however, seem to feel a deep interest in

favor of his cause. A ratification meeting was held here, about a week ago, at which Mr. *Huntington*, the Delegate from this District, made his report of the proceedings of the Philadelphia Convention, after which Hon. George Lunt of Newburyport, a *strong Taylor* man, addressed the meeting, which was allowed on all sides, *The Salem Advertiser*, alone excepted, to be a *very* enthusiastic one. Father, too, seems to take quite an interest in politics, as a Taylor man, attends the caucuses, etc. A large delegation of Whigs left here in an extra train last evening, to attend the Boston Ratification convention, held in Faneuil Hall. They were accompanied by the band, and mustered about 500. The fare was very low, only 30 *cents* for the whole trip, which probably induced many to go, who would not have done so at the usual rate.

"We now begin to think of Cambridge, *in earnest*, it is only 7 weeks to the end of our *last* school term. Henry Stone has concluded to go to *Harvard* with the rest of us, and will chum with Upham. Little Charley Phillips, whose head was so badly injured by falling down stairs, is recovering.

"I suppose you would like to know about the trial of the Irishmen for the murder of Curran. The trial commenced on Tuesday last, and has continued ever since; probably they will not get through with it today. It is tedious and uninteresting, being merely a repetition of the former examination before Judge Waters. Otis P. Lord made his opening plea for the defence yesterday forenoon, and spoke for two hours and a half. This is a very tiresome case for all concerned, though there is no doubt, but that the prisoners will be acquitted, on the ground of want of proof. Master Carlton was summoned as a witness, yesterday afternoon. They wished

him to inform them, of the 'momentum of a falling body weighing 200 pounds or whether a man of that weight, would be likely to break by jumping upon it, ice 3 inches thick.' But he so puzzled the lawyers by his scientific answers that they soon dismissed him.

"Mr. Conner and lady intend to go to Cambridge, to make a visit, on the first day of July, they will remain there a fortnight. Though Uncle Frank was in New York but a short time, we hear that he purchased 500 *dollars* worth of goods there, which mother pronounces very beautiful. I fear that '*Timmy*' cannot be persuaded 'to write to the girls,' but if you write to him, perhaps he will think he must answer it. We enjoy your letters very much, so you must keep writing about your life in Brooklyn.

"I have now come to a *dead stand*, in my ideas & I am obliged to stop here, the breakfast bell too calls me away. Mother says she will write on Sunday. Father seems now to be much better, he says nothing about making a journey at present, though I think he will go by and by.

Yr. affectionate brother

JOSEPH."

That is a letter from a Harvard subfreshman on the eve of going to college. It will be remarked that there is nothing in it about a boat-race or athletic sports of any kind. Being a letter to two young ladies visiting in Brooklyn, it records items of local and personal news, and spends the rest of its strength in politics and law, winding up with a reversion to domestic intelligence.

It suggests the political atmosphere in which Joseph Choate grew up. His father was a Massachusetts Whig. The Whigs generally of that day, and the Massachusetts

Whigs especially, believed in government by the best people. They also believed conscientiously that the Whigs were the best people and that the Democrats were dangerous and irresponsible folk with wild ideas and a disposition to disturb things which responsible business men did not wish disturbed. The Whigs were conservatives and not much subject to emotions of reform. A dozen years ahead from the inauguration of General Taylor were Lincoln and the Civil War, but the Massachusetts Whigs as a party did not know it and did not wish to know it. They did not like slavery, but were for getting along with it as well as possible and waiting for time to abate it. They abhorred the idea of fighting over it and strongly deprecated the activities of persons like Garrison, who insisted on agitating about it. Out of their ranks came eventually a large proportion of the Massachusetts men who went into the Republican party, and contended with imperishable distinction in the great political fight that culminated in the Civil War. But in '48 Massachusetts Whigs were mainly conservative, and, apparently, Doctor George Choate, of Salem, was one of them.

Reared in this political atmosphere, Joseph had no visible bent towards violent political reformation. He was by birth for justice and honest government, security of person and property, and all conditions that favored the rise and prosperity of persons who had it in them to prosper, but he was not visibly responsive to the woes of the black slave. It was not that he had an unfeeling heart, but that he had other things to think about and thought about them.

In '48 Massachusetts was still controlled by the descendants of the Puritans and Pilgrims, but the Irish

invasion was under way and coming strong. The Irish were already numerous and important, and were still the bottom layer socially and industrially. The attitude towards them to which Joseph grew up was not unkindly, but, naturally enough, was critical. He was too intelligent and too sweet-natured to be harshly contemptuous, but he was amused by the Irish—incurably amused as often appeared in later years in New York. The draft riots in New York stirred him to wrath; in the great Tweed and Tammany fight in 1871 he fought Hibernian domination in New York to the limit of his strength and contributed in very important measure to beat it, but usually he laughed at the Irish, with them if possible, but laughed.

But it is incredible that he was ever really anti-Irish, though with the Irish he got that reputation. There was very little race antipathy of any kind in his composition. He was against having *his* country upset and mismanaged by intrusive newcomers, and the Irish of his day were mainly newcomers. But they mixed in rapidly with the older population and lived with and worked for the people whom they found in charge and possession of the country. To live with the Irish may not cure political opposition, but it is apt to cure anything like race antipathy.

Writing two months later (August 25) to his sister Lizzie at North Andover, he tells of examinations and admission to Harvard College, of his brother William and himself.

"The examinations though very tedious, were not so difficult but that all the Salem Boys entered; we do not yet know what division we have been placed in, and shall

not, until next Monday. We have all some studies to make up in which we were found deficient. The Latin & Greek which are by far the most important, were not marked against us. We are now very busy in preparing for our departure, and this you must take as an excuse for the hasty manner in which this letter is written.

"Merritt will come this afternoon, to take our furniture, etc. and shall go ourselves tomorrow morning. We shall indeed go under very happy circumstances, for few who go there have a brother to live with, and so many kind friends."

Then after communicating a few treasures of news personally gleaned, as that pigs and cattle had destroyed all of Parson Dall's peas and potatoes, "which loss he seemed to deplore considerably for as he said 'he has to keep pretty close to the wind on his salary of $375,'" he makes formal acknowledgment of a present from both his sisters.

"You will both accept my most grateful thanks for the present so beautiful and unexpected, which I have received from you. Be assured, my dear sisters, that I shall ever keep them and wear them, and they will be to me a token of your lasting affection and urge me to prove myself, by a more faithful discharge of duty more worthy of your kind attention."

"The slippers," he says in a postscript, "are very beautiful but I can only thank you again and again. I forgot to say that our class will number about 80. Of those that offered 10 were turned by, an unusually large number."

In a letter to "Dear Caddie," written in his second term at Harvard, he says:

"We have just got home from a long walk, for we make a point of walking more or less every evening especially in such pleasant weather as we have had for the past few days. It might perhaps do us more good to get out and walk a mile or two before breakfast, but it comes hard enough getting up to prayers, which, after next week, are to be at 6 o'clock, and breakfast immediately after, a plan which I shall not like, for it will give us too long a forenoon, and we shall get awful hungry before dinner.

"Timmy (William), I think, must have made great exaggerations about the party which I went to in Malden, to give you the idea of its being a *ball.* It was a mere country party, and I thought from appearances that all the old maids of the place were there, but as for 'the pretty young ladies' that you talk about, they were certainly very scarce. 'The Major' did not honor the occasion with his presence, but two of his sisters were there, one of whom looks and talks exactly like Billy. The party was at their nephew's house, Wm. St. Agnon's, the Lawyer's. I went with the expectation of having a grand time, and was not at all disappointed. Upham and myself were the only ones that received invitations, but William did not seem to regret being so slighted. We took the cars to go down and walked back at about half past 2 o'clock.

"I have been into Boston only once this term, and then I could not induce Tim to go, he thought 'it was too early in the term, and once in the term was about enough.' We hope that Lizzie will not disappoint us, and shall expect to see her on Monday or Tuesday. There

is some talk among the Seniors of celebrating the Navy Club, and as this will be something new, she would like to be here in time to see whatever is to be seen. Tuesday afternoon is the time appointed for the Procession, but from all I hear, I should think it very doubtful whether they will succeed in carrying out their plans. . . .

"The old vest that Mother will find in the Valise, wants a new set of Buttons, and I think I can wear it a little while. We are much obliged to you for the nuts, though I am afraid they won't last a great while, not that there were not plenty of them, but because we eat them so fast."

He writes his mother (letter undated):

"You have probably expected to hear of some sort of disturbances among the students, by way of trying the new president, but everything is as quiet as possible, and Mr. Sparks seems to take very well with all the classes, he is really becoming quite popular, his free and easy manners (so different from Mr. Everett's reserve and coldness) please everybody. . . .

"Stone tells me that his father is to preach at the chapel on Sunday. I shall be glad to see him and hear him too for any change is preferable to Dr. Francis, who I suppose will preach for Mr. Stone and you will have a chance to hear our Professor of Pulpit Eloquence.

"For the first week after we came back, our room was very hard to keep warm, it seems to require about as much fuel, and as constant a fire, as in any of the coldest weather before the Vacation, but now the walls of the building are thoroughly warmed and we find no difficulty.

"We are much obliged to you for your offer of the cushions for our chairs, and next week, perhaps, will

send you the measure of them. But I have nothing more to write and must be off to bed, for I must be up early in the morning, so as to fix off the Valise before breakfast."

And again (letter undated):

"Last evening I went over to Faneuil Hall expecting to hear some great eloquence from George Thompson the Great abolitionist from England, but came back disappointed. There seemed to be about five hundred people there, mostly young men who went determined to break up the meeting. Wendell Phillips was speaking when I went in but he could not be heard ten feet from the platform. He introduced Mr. Thompson who was received with tremendous cheers by the whole body of the house but as soon as he opened his mouth the same ones who had been cheering so loud at once began to groan for John Bull and cheer for Daniel Webster and the Union. He couldn't say a word, and after standing on the platform for half an hour and sitting for another hour he concluded to go. Abby Folsom from the gallery succeeded in getting off something about woman's rights and was loudly applauded. About half a dozen speakers came to the platform among whom were Theodore Parker and Frederic Douglass, but they were quickly put down. I was on the steps next the platform and could see all that was going on without being incommoded at all. There seemed to be a very merry spirit among the rowdies determined to hurt nobody but to put down all the speakers. They succeeded so well that at 9 o'clock the meeting adjourned to Worcester, but the Hall could not be cleared until the police turned off the gas and put out the lights."

Even the studies of a college boy are interesting if he comes to something out of the common later in life. Joseph writes his father:

"I send in the valise, the 'Tabular view of the Recitations' for next year, as it contains a full explanation of the system of Electives. My intention to study Latin and Spanish is entirely knocked in the head, as they come in the *same hour*. We have the privilege, as you will see, of taking an extra elective in addition to the one required, but as in that case the recitations in them would come on *successive* hours in the afternoon, and there would not be time to prepare both properly, I think it best to take only one. Besides, though we should get no marks for the second, we should be obliged to attend *and recite*, all the same as if we did. The Greek and German I have no fancy for either, and as I don't *feel competent* in *Mathematics* I come back to the Latin and Spanish. I should be very unwilling to lose the knowledge of Latin, which I have already acquired, and at the same time should like very much to take hold of the Spanish. But, I think, that *not taking* Latin as an *elective*, I should still by myself continue to read it, and thus retain an acquaintance with it, sufficient for all practical purposes, to say nothing of the great difficulty of getting so good marks in this department. On the whole then I should prefer to take Spanish as my elective, not indeed throwing the Latin entirely aside. If the arrangements were different, I should be glad to take both, but *now* it is impossible. Please to let me know next week, if you approve of my choice, if not what you prefer for me. Of course William will take Mathematics, he really seems to enjoy it. . . .

"Whatever elective I take, there will certainly be no trouble on the ground of not having enough to do, as we are to have five recitations a week in Mental Philosophy and three each in Physics and History, besides Themes and Forensic, and Lectures."

How the pen of Joseph the collegian disported itself in intimate communications with his classmates appears in a letter dated Cambridge, March 10, 1852, to William C. Williamson:

"My dear Bill,

"Right glad was I this morning, when on my accustomed round, I came upon the yellow banner of the Postmaster, and discovered my name among the rest inscribed thereon. Full high and long did this little heart leap for joy, when the cadaverous clerk thrust forth from the grating of his prison, the despatch from Belfast. Much doubt had arisen in the minds of your anxious friends, and we had begun to fear the combined effect of your labors in the cause of education, and your quiet suffering for the sake of temperance, had proved too much for your feeble constitution; at least your long silence argued as much, and your friends were preparing for action. The plan was to charter a sloop, and despatch it to bring you back alive or dead from that horrid State of Maine. But now that we know all about you, the tide of popular feeling has turned, and torrents of abuse are poured out upon your unconscious head. 'Why has he gone and left us? Why don't the wretch come back? Of hope he has bereft us. All comfort now we lack.' Do dear pull up stakes and come on! here we are, all ravenous to embrace your beloved form, wasted, though it be by care and sorrow.

"Well, Bill, the fourth of March came round and found us all together. The E. E. H. [East Entry of Halworthy] wanted but you to complete the circle which gathered around a fire of cheerful cannel, in H'y 22. First there was the patriarchal Dana, who had spent seven weeks in vain, in trying to enliven the quiet hamlet of Brandon, strange to say, without losing any of his wonted jollity and facetiousness. Coolidge and Norris had just arrived from Brooklyn, where they had been making a short visit with the good natured Fam. whose little belly, by the way, is if anything a grain more plump than ever, but the whole trio seemed to my eye a little worn down and exhausted by a fortnight's dissipation. Then there were Stedman and Bob, growling over the tedious dulness, of what to us country boys is the ever active and changing Boston. Bill once more joined his demure but comfortable countenance to the growing throng. And as the donkey will show his ears, so the old alligator rattled his tail, and gave vent to several jibes about Muller and Phnaw! Cooke. Everybody had something to tell, and when the last had given his account, we all half voluntarily turned about to look for you, and hear what cheer from Belfast.

"So met the East entry, unchanged and unchangeable, and outside of us, in the College at large, things go pretty much the same as ever. Methought the nose of Bonney bent over a little more immodestly, and Addison's hand, which I grasped with hysterical affection, (when he thrust it forth,) distilled more dewy moisture than before. But with these slight exceptions, perhaps the fruit only of my fancy, the College that we left in January has turned up again in March, and we hardly seem to have been away."

J. H. C. to W. C. W.

"In regard to our studies, however, some changes have been effected, changes, I think, for the better. In the first place, we have seen nothing as yet of the affable Lovering, whose ghastly eyes always seemed to me, like the serpent's, to fascinate his victims, and wrung out the Physics, whether they would or no. Really, this is a great relief. That little humbug, Child, has no longer an opportunity to scatter Whately's Logic, and his own outlandish gibberish over our unoffending class. For this, too, we may thank the Gods. But then—there is Jennison, more fatty than philosopher, has undertaken to teach us the great principles of Political Economy, as they are developed in 'Wayland's Elements.' Butler, too, is a little different from anything we have had before. The electives, of course, are the same. In regard to the lectures, all through the week, I might say in the emphatic language of the Psalmist,

" 'Hills peep o'er hills, and Alps on Alps arise!' On the whole, the tabular view seems to promise a very comfortable time, and you will not be much pressed, should you persevere in your laudable resolution, to make up.

"I said on the last page, that men and manners have not changed, but one thing I forgot. Whiskers are the order of the day. Rogers and Canfield, Dana and Carey, Haven and Hill, Wheeler and Stickney, have got bristling hair enough upon their chins and cheeks, to stuff a mattress or a bridal bed. So that, if you have any idea of coming back with those downy tendrils in which you once luxuriated, I warn you now to be prepared for a most vigorous competition on the part of the aforesaid band of brigands.

"The Western Reservers have come Oh! Ho! and three of them, miserabile dictu, are Alpha Deltas. I express regret, not because we need be ashamed of them, for there is nothing about them that savors of a Justus Smith, but because, coming at this late day, we cannot treat them so cordially nor feel so fraternally, as they might expect of us.

"I know, my dear Bill, that whatever is, is right, and suppose that you know what is best for yourself, but I can assure you, that your return tomorrow would call out prolonged cheering from the East entry, and do no small good to

Your affectionate Friend,

J. H. CHOATE."

"P. S. Dana seems to be all right.

"P. S. Brother Coolidge sends oceans of love and Waring and Norris torrents of affections and C. and N. are going to write you."

Truly a full and fluent flow of the undergraduate soul, appalling in the irreverence to teachers who later came to high distinction in their profession, but not much more irreverent than undergraduates are wont to be. Other letters to the same friend, written while the writer was a law student in Cambridge, give the news of classmates, including the engagements to marry and comments on them, the gossip of their undergraduate club, and finally at times strong and very breezy views on politics, including in one letter dated March, 1854, a spirited report of "Mr. Everett's contemptible conduct in the Senate," especially in the matter of a motion of the New England clergymen against the Nebraska Bill.

"It has been my duty," he tells Williamson in one of these garrulous epistles, "to break to Norris, with as much caution and tenderness as I could, another announcement which may be as great a shock to you as to him, that the identical Totty, who used to stir a common flame in both your hearts, and was the subject of such furious and jealous contention between you on the morrow after every party, has been carried off by some strange young man who isn't so much as known by name to the good people of the place. I can only remind you as I did him that all earthly hopes are frail, and that there are but few human friends who will not forget you."

"Dear Bill," he writes in April, 1854, two years after graduation:

"With no very easy flow of ideas, and with no very great stock of news, I nevertheless make bold to dedicate this sheet and this hour to you.

"Have the denizens of Belfast been enveloped in fog and devoured by a ravaging East Wind for the last ten days or more? Have you been shut out from the pleasant light of the sun all that time, and been hovering and shivering over a huge coal fire meanwhile; in the last half of April too, when we have a right to be enjoying the balmy breezes, and fitful showers, and pleasant sunshine of awakening Spring? If you have, you can realize and sympathize with my feelings this afternoon, and will not read on with any hope of finding anything genial, anything amusing, anything, in fact, worth reading on for at all. I went to church this morning and thereby passed a very stupid hour, from which I have not fairly recovered. How it damps one's spirit to hear Dr. Francis or any of his Cambridge contemporaries preach. When

men who have such rare opportunities for eloquence and such themes as one would think ought to rouse their whole souls to their labors, are yet content to plod on in the same dead and dreadful way, Sunday after Sunday, year in and year out, as many of our Christian Preachers do, it sometimes makes one think more meanly of the race to which he belongs."

Joseph in his youth was hard to suit with preaching. He sat under it with fair persistence, but, as we shall find in later letters, seldom rose up to praise the preacher.

His college years, his two years in the Harvard Law School that followed, and the third year in the office of Hodges and Saltonstall in Boston, which was necessary to qualify him for admission to the Massachusetts bar, have all been described by himself in the pages foregoing about his boyhood and youth. Therein he also tells briefly of the journey West with his brother William, which seemed a proper capstone to their completed education. Going to New York on September 27, 1855, he and William put up as much as possible at the St. Nicholas Hotel, which had no room for them, but yielded in the course of the day to solicitations of their classmates Waring and Norris to come over to Brooklyn, where they were hospitably entertained. Joseph writes his mother: "After two days spent here mostly in circulating pretty freely among the young lawyers, I am still more convinced that New York is the place for me. I was kindly received by Mr. Evarts who said that Mr. [Rufus] Choate had had some conversation with him about me some time ago. His office is at present more than full, but he kindly offers to do all he can to find me a place elsewhere when I return from the West. He says there

is nothing in the way of one who is willing to work here."

More follows about other things and at the end is a postscript: "Tell Carrie that cracked wheat is a staple commodity here, and that a sequence does *not* count when there is a Go-between."

The day boat to Albany did not run, so they took the night boat, "and shall have," writes Joseph, "the view of the Hudson by moonlight which is said to be its most delightful aspect." It is a fortunately constituted mind to which the next best thing looks best. They spent several hours examining Utica. Thence to Buffalo and Niagara, the observation of which and of the further wonders of this journey Joseph communicates as follows:

"Detroit, Oct. 3d 1855.

"Dear Mother,

"You will doubtless be happy to hear that having safely crossed Lake Erie, without accident or the fear of it, we have arrived in good condition at Detroit, where we are now ensconced in close but not uncomfortable quarters at the National Hotel.

"Nothing could have been more delightful than our experience of the last five days. In that short period we have seen Lizzie Carlile, Niagara, and the second of the great inland lakes, and I must say that I was disappointed in all three. I had formed some conception of each of them a priori, but the first is more of a woman, the second more of a waterfall, and the last more of a sea than I had expected to find.

"William says that he gave you a full account of our pleasant visit to Utica, and so has anticipated all that

I could have said. Our stay at Niagara was as satisfactory as wind and weather would permit. During the three days we passed there, there wasn't a single half hour of clear sunlight, but nevertheless we managed to explore its most obscure recesses as well as its more renowned localities, and departed with a clear impression of its scenery which it will take many a year to efface. William is the best pathfinder I ever have known, and phrenologically speaking his bumps of direction and distance must be fully developed. During the first forenoon, which was rainy, he got hold of a map of the premises and before dinner time he knew it all by heart. So that in one afternoon's progress he located all the points of interest, calling them by their names, and pointing out their peculiarities as well as the oldest veteran of the native guides could have done. When you come to Niagara you will find his services as an escort invaluable, and I advise you not to leave him behind.

"The *Plymouth Rock* in which we took passage from Buffalo is a steamer of more magnificent pretensions than you would have thought to find anywhere but on the Atlantic. The night was clear and the winds were still, so that until daylight we slept in peace. But this morning when we were fairly out of sight of land on either side, the wind got a little higher and the sea a little rougher, and seasickness became an epidemic on board. Norfolk and Portsmouth in the most mortal hour of the recent scourge could hardly have presented a scene of more general and miserable prostration than the cabin of the *Plymouth Rock* exhibited after breakfast today. W's sympathetic nature fell a victim for a brief hour or two, but soon recovered. My experience in the matter of the Mumps has convinced me that there is no preventa-

tive against those little complaints so good as making up one's mind against them. So having got up to see the sun rise, I eat a hearty breakfast, and boldly but successfully defied the disease.

"We arrived here at about three o'clock this afternoon, and don't like the looks of the place at all. Just now it happens to be the scene of the State Cattle Show, which makes it worse. However, it is no mean city, it contains fifty thousand inhabitants (twice as many as it had five years ago) and claims to be a great place for business.

"Tomorrow at nine we shall start for Chicago, where we expect to make a longer stay, and see the boasted wonders of the place.

"On arriving here we got your letter, which gladdened our eyes as much as this can yours, and we long to reach Milwaukee, where we may find something more from home.

"William has gone to bed, where it is already time for me to join him. So wishing you all good luck until we meet, I am, your loving son, J. H. Choate."

"Dubuque, Iowa, Oct. 9th, 1855.

"Dear Mother,

"At last we have crossed the Mississippi, and shall go no further West. Dubuque is a city of 10 or 12 thousand inhabitants, and is very rapidly increasing. Business here seems to be very thriving, and for that matter we have not yet found any place in the West where a young lawyer would be likely to make so little money as at home. Still there is nothing very attractive about the place for one who has some other wants than mere money-making, and we only wait the arrival of some steamboat or stage to take us down to Davenport, which

though it seems close to Dubuque upon the map, is really 120 miles distant.

"We left Milwaukee early on Monday morning and spent the night at Rockford in the neighborhood of which many Salem people have established themselves. Being detained there all yesterday forenoon by some misunderstanding about the cars, we took a horse and wagon and drove out upon the prairie and down the West Side of Rock River in that region so famous for its fertility even in the fertile West, and came back more fully impressed than ever with the absurdity of attempting to cultivate the barren rocks of old Essex when there are such Golden lands for farmers here. We have come across a great many natives of Massachusetts who have emigrated in former years and they all speak with the same abhorrence of going back to the East to live. They are all growing rich so fast.

"Last night we came up to Dunleith, a huge city upon paper, but containing in reality only two hotels and the same number of railroad stations. Part of our route was over the Illinois Central Road, upon which the amount of travel is immense. Five or six long passenger cars full are no uncommon thing.

"The Mississippi is very much like any other river, only bigger, and presents at this place quite a lively scene. Two steam ferries are constantly running across within a mile of us, and a third half under water on a snag in the middle. Several large boats have already passed up since we have been waiting but unfortunately for us none has yet come down. The water in the river is said to be higher than has been known at this season before for twenty years, and several wood and lumber yards are quite submerged.

"The only real Salemite we have seen since we left home was a young negro barber at the station at Rockford, a son of Andrew Williams, who has pursued the same profession from time immemorial down by the Eastern Railroad depot. With him we fraternized as cordially as possible, and William comes home charged with messages of affection to his brother there.

"Time has flown so fast with us, and we have been gone so long that I hardly think we shall extend our journey to St. Louis, but having seen the wonders of Davenport, and gone down the River to Burlington shall go from there to Cincinnati and thence make rapid tracks for New York. Excepting our little note at Detroit we have received nothing from home, but trusting that you are all well and happy, I am,

Your affectionate son,

J. H. Choate."

"Buffalo, N. Y. Oct. 18th, 1855.

"Dear Mother,

"You may be a little surprised at hearing from us at this place, but on arriving at Cincinnati, we hesitated some time between the Philadelphia route and this, and decided to come by the way of Cleveland. So here we are within fifteen hours' ride of New York, for which we shall start on the express train at eight o'clock tomorrow morning.

"With Cincinnati, where we spent nearly two days, we were very much pleased. Of course the chief lion of the place for us was Professor Conner, whom we found surrounded by miracles of art, as usual, in 'the Academy,' looking somewhat old and dilapidated to be sure, but still as great as ever in his way. It seems that Mr. C.

has been sending letters and newspapers in perfect showers upon various members of our family ever since he left Salem, and the wonder is that so few of them were ever received. He had concluded that we had agreed to cut his acquaintance and so was not a little startled at seeing us march into 'the Rooms.' I think from appearances that his position and fortunes were much improved by going West. He has all the best pupils in his line of art in Cincinnati, and owns the best farm on the Ohio River within two hundred and fifty miles of the City. He persisted in showing us all over creation, and under his guidance we went over the River to Covington, within the borders of Kentucky. We saw a very little of the peculiar institution, and for aught I could see the soil of Slavery felt just the same beneath our feet as that which we have always trod.

"Ever since we left Niagara the weather has been wonderfully fine, and whether it be Western brag or not we cannot tell, but everybody says that it continues just the same through all the regions we have journeyed in till Christmas. Certainly nothing could be more wholesome and charming, or in more striking contrast to the Climate out of which we came. Almost all the roads over which we have passed have been very free from dust and we have had no difficulty whatever with our baggage. In fact our trunks, but for a little necessary chafing, are as sound as when we started.

"William thinks he shall be at home very early next week. What will become of me remains to be seen. I don't much expect to come home before Thanksgiving but can tell all about it better after getting to New York. As I have now definitely concluded to settle there, of course the sooner I get to work the better.

"The Western Mails are so irregular that I fear some of our letters may have failed to reach you. At any rate you may have the satisfaction of knowing that such as they were, we despatched them regularly, as you desired.

"With much love to you all, and many congratulations to Carrie upon having reached her majority and come into her fortune, I am,

Your loving son,

J. H. CHOATE."

CHAPTER II

EARLY DAYS IN NEW YORK

IN MR. EVARTS'S OFFICE—NEW YEAR'S CALLS—SNOW—SOCIAL LIFE—CORRUPTION OF CITY GOVERNMENT—EDWARD EVERETT'S ORATION ON WASHINGTON—FIRST FEES—POLITICAL ACTIVITIES—JOINS A FREMONT CLUB—A STATE MILITIAMAN—SPEAKER IN FREMONT CAMPAIGN—PANIC OF '57—A CHRISTIAN-SOCIALIST CELEBRATION—STARTS OUT FOR HIMSELF—BECOMES A PARTNER OF MR. EVARTS

Back in New York he goes about his new business without delay. His letters, chiefly to his mother, tell the story of his first years in the city of his preference. He sees it with the vividness of eyes to which all its aspects are new. The new reporter on the newspaper is struck with sights that the old reporters no longer notice, and he can all the better report them. Joseph was the new reporter in New York, and in his weekly letters to his mother he fairly laid himself out to give entertainment. These are no grudging scraps of correspondence. They are real letters from an affectionate and attentive son to a mother whose care for him he recognizes.

But the first is to his father:

"New York, Oct. 25th, 1855.

"DEAR FATHER,

"Contrary to my expectations Mr. Evarts has found it convenient to make room for me in his office, and as he seems disposed to favor me, and as it is considered a first rate place to learn in I shall go in there in a few days. Meantime he has set me to work reading the code,

for which I find abundant conveniences in Waring's* office. For the first three months, of course, I can expect no compensation for my services because, from my ignorance of practise, they will be worth nothing. After that, however, if they do not find employment for me there, I think I shall without difficulty find it elsewhere. All the young men who have graduated from there are now succeeding well.

"My first duty on Monday was to hunt up a boarding house, which I fortunately found before noon. It is Mrs. Ruton's house in Bleecker St., corner of Thompson, about a mile and three quarters from Wall St., which you will consider a very wholesome distance. I am to pay $5.00 per week, at the end of every month, for my present accommodations which consist of very excellent board, a nice bed room and ample conveniences for bathing. The only difficulty is that my room is the smallest conceivable, altogether too diminutive for my purposes during the winter. But in the course of a week or two Mrs. R. expects to make some changes and to have some larger rooms vacant, when by paying 50 cts. or a dollar more per week I shall move into one with which I can get along. This morning I have been in hot pursuit of a washerwoman and have found one close to the house, who is to do for me for $2.00 or $2.50 *per month*, according to the work. These arrangements have all been made with despatch, but I trust they will suit your views. With regard to expense I think them as reasonable as you could have expected and as to the comfort I am agreeably disappointed. At any rate, now that I have got a foothold I shall be constantly on the look-out and shall let slip no opportunity to better my condition.

* William H. Waring, a classmate.

"Yesterday I called upon your friend Mr. Emerson who received me kindly, gave me a cordial invitation to his house, and recommended me to go into Mr. Evarts's office, in whatever capacity.

"Last evening I spent very pleasantly at Mr. Carlile's, and am going to church with them on Sunday.

"At Mrs. Ruton's I found to my surprise Addison Brown and Charles Dewey whom William will remember at Cambridge.

"For these few months I expect to feel very lonely and disconsolate but shall now and ever expect a great deal of love and encouragement from home.

I am your obdt & loving son.

J. H. CHOATE."

"P. S. I have just got your letter to Dr. Stone of which I shall make a speedy use."

"New York, Oct. 31st, 1855.

"MY DEAR MOTHER.

"I received your kind letter yesterday and I can assure you it gladdened my heart. There is nothing here that interests me so much as a word of good cheer from home.

"I am still in Waring's office at work upon the code which must be mastered, or partly so at least, before any other steps can be taken. Probably Mr. Evarts will send for me some day this week, possibly not till next. Meantime I am as well off here as there.

"My boarding house improves upon acquaintance. There are about seventy boarders among them and some excellent people too. It takes one some time to get used to New York hours, and at first dining at six didn't seem to me like dining at all. But now I like it better and

though I get slightly cadaverous about noon-time, I easily get over that by taking a slight lunch.

"The amount of exercise we get here without knowing it is astonishing. I think I haven't walked less than six miles any day thus far.

"As to my expenses I am to pay $5.50 for my room and board and something more for fire and lights. But the room being quite small the fire bill cannot be very large, especially as I am only here in the evening. Then there is the washing of which I told you before, and a trifle for a meagre lunch, which ends the list of absolute necessities, except clothes, so that the sum proposed by father (forty dollars) will be a very abundant allowance, and will cover all that great article of 'sundries' which everybody spends money for and nobody knows how.

"I shall want at once to invest a portion of my own little fortune in a few law books, which no one can get along without, but have bought the first one already which will last me for some weeks.

"People here are getting quite excited on politics, but I don't know enough about parties here to understand them, and as the party that I belong to has died out here, I don't care a fig which beats.

"Last evening I called upon our friend Gibbons's family, and found it a very delightful one.

In haste, your loving son.

J. H. Choate."

"Dear Mother, "New York, Dec. 8, 1855.

"It is Sunday evening and I have just returned from Dr. Osgood's church. None of the Carliles were there

this evening, partly I suppose because of the rain and partly because they are suffering from colds, or were, at any rate, on Friday evening when I called at their house. I stopped there then, being on my way to Mrs. Gibbons's in 29th St. where I had been invited to a little gathering, but where I found myself in the midst of an assembly called together and taking measures for the relief of Fugitive Slaves passing through New York, in which scheme of philanthropy I can't feel so much interested as some others. . . .

"Nothing particularly interesting has happened in New York this week—the usual chapter of accidents and affrays—the usual number of discoveries of corruption in the city government—the trial of a murderer, an ordinary occurrence, but this time a noted case; Baker, the man who shot the notorious Bill Poole last summer in a Saloon on Broadway, being on trial, which creates a good deal of excitement among the lower orders of society because it grew out of a quarrel between Americans and Irish, and Poole's last words were 'I die an American'—great political banquets, rejoicing over the late election—great ecclesiastical conferences rejoicing over nobody knows what—great meetings of merchants and bankers—great ships coming in and going out almost without number—great speculations in everything—an infinite amount of business for everybody that is fit and ready to do it—and all the while, from Monday morning to Saturday night, this same incessant rush and commotion which must have impressed you so forcibly as it does every stranger, and which indicates the prosperity of the city and citizens. . . .

"Mr. Evarts came up in search of me on Friday, and invited me to come and dine with him yesterday—which

I did to my great satisfaction. He has got a fine house in 17th St. and in it a very beautiful library, and a very comfortable wife—a sturdy Vermonter with five or six little children. Saturday night being the only one in the week when he does not work, he devoted himself to hospitality and was very entertaining. I like him very much and he manifests quite an interest in me. He said that if I had made no arrangements to stay where I am he should now like to have me come to his office. I have made no such arrangements and shall go into his office as soon as he gives the word. He took pains to encourage me very much.

I am your loving son,

J. H. C."

"DEAR MOTHER, "New York, Dec. 30, 1855.

"This week and the last are the Holidays so called in New York. People generally seem to give themselves up to fun and frivolity, and a very jolly state of mind universally prevails. What now adds greatly to the prospect of a merry New Year's day is a very considerable fall of snow, which the citizens prize very highly because it comes so seldom. Even Sunday could not keep great numbers from trying it, and crowds of sleighs filled the Avenues this afternoon. It seems rather ridiculous to one who has lived in Salem, but I believe I shall do in Rome as the Romans do and devote Tuesday to the ladies. Mr. Carlile knows and he says it is one of the things to be done, and the ladies have a right to feel slighted if their friends do not call on New Year's Day. In fact it will be impossible to do anything else with

decency for stores, counting rooms and lawyers' offices are all shut up, the courts adjourn, and nobody is allowed to speak or think of business till next day.

"Christmas Day was very stormy, but in the afternoon I managed to get over to Brooklyn, where we had a great dinner and a nice time in the evening. Dr. Bellows's Church (The Church of All Souls, as it is now to be called) was dedicated in the morning. You must have seen it when you were here. Outside it looks like my idea of a Chinese Pagoda, but inside it is truly beautiful. Mr. Frothingham took some part in the services. I hear that he joins the Unitarian Ministers in this vicinity in their meetings and conferences, and is believed to be coming round to sounder doctrines than he advocated in Massachusetts.

"Today I have been at Dr. Osgood's morning and evening—which is a good deal when you consider that I don't like him.

"All the Carliles have got bad colds, Mrs. C. especially, who was so bad today that she had to stay at home, which of course she would count a great loss. Horace will not come to Salem till February.

"Mr. Evarts's office I like very much. There are three partners, all first-rate lawyers and doing a tremendous business. Undoubtedly it will be for my advantage to have been with them some time but I must say that I now feel not a little impatient to be doing for myself—so much too long have I already been waiting.

"Of course you are interested to know what sort of people I am living among. And truly they are a very respectable company—rather too many ministers among them perhaps to be very jovial, (I believe there are as

many as eight of them) but still social enough and intelligent enough. The other night a little dance was got up among the boarders in the parlors, which was generally appreciated as an opportunity for getting acquainted and as such made the most of. We want, of course, to know each other well enough to be on speaking terms and call each other by name, which cannot be easily brought about without some such scheme for gathering all, or all that are disposed to come, together. They come from all the countries in Christendom almost and follow all sorts of callings—Brokers, lawyers, merchants, preachers, booksellers, rumsellers, crockerywaremen, one daguerreotypist, one medical student, one haberdasher, one Englishman, one Spaniard, two Frenchmen and innumerable Yankees. And just so you find it all over N. Y.

"I don't generally get up from the office much before six o'clock, when, you know, we have dinner, and from seven to eleven or twelve I generally devote either to study, or to visiting, or both. Breakfast isn't much before eight, and we don't find it practicable to get up much too early for that. Had I my own way about it I should prefer to have dinner an hour earlier, go to bed and get up an hour earlier, and to begin work down town at half past eight instead of half past nine or ten, but then, we are creatures of circumstances.

"I hope you are all well. Of course you will tell me if you are not.

"By the way, which 'Doctor' comes to read German? Is it the Irish Doctor or '*the* Doctor'?

"A happy New Year to you all round.

"It is bed time. J. H. C."

To His Mother

"New York City
January 6th 1856

"We are all buried up in snow drifts. Yesterday afternoon it began falling very thick and this morning the sun rose on nothing but a wilderness of snow banks where yesterday stood the great city of New York. The grandmother of the oldest inhabitant couldn't remember such another if she were alive to tell the tale. Even so late as breakfast (and that on Sundays is very late) the streets were as pathless as the untrodden field of Hohenlinden. Not a milkman nor a newsboy was brave enough to breast it, so we had to drink our coffee pure as it came from the pot, and without a scrap of news to discuss over it. The wise providence of our laws, however, requires the sidewalks to be cleared instanter in spite of all difficulties, so by dinner time we got into communication with Broadway and the rest of the world. You will not be surprised that I took advantage of the impossibility of going, to stay at home from church, and edified myself in my own way, and, I hope, not without advantage.

"This evening I took tea at Mr. Kendall's, our cousin so far removed that we have but just discovered him. He is a fair sort of man—reads and admires Mr. Webster and Fred Douglass indiscriminately, and talks away in an unbroken strain, his words falling from his lips as water bubbles from a fountain. He lived in Salem for a year or two during the last war with Great Britain, and asks a great many questions about the men and things of that time, which I answer about as intelligently as the people of Sleepy Hollow replied to Rip Van Winkle

when he came down into the village after his century's sleep.

* * * * * * * *

"New Year's Day I found to be a capital institution in these parts. You can have no idea of the way it's managed. The ladies all stay at home, and the gentlemen turn out, to a man. The man that makes the most calls is the best fellow, and the lady that counts up the largest list when the day is over has enough to pride herself on for a year to come. To show you how extensively the thing is done; Waring told me that he and his uncle made over 100 calls, and I was at their house late in the evening when they closed their list at 140. On that day, of all the year, everybody's house and heart is open, and old friends and new are alike welcome. It is a glorious custom handed down by the Dutch, and a few such introduced into New England would make it a very different and not a worse place. I made about twenty calls, and though I started reluctantly I enjoyed it very much and was disposed to regret getting through. I called on all the friends that I have told you about, and all the Salemites that I knew were here, among the rest a Mrs. Nat. Brown, who in a few days is going to sea with her husband. She is staying with a Mrs. Ward who looks enough like her to be her sister. In the afternoon I went to Brooklyn and saw everybody that we know there. In the street I met Dr. Cullen who is *the* Doctor of Brooklyn, and he persisted in taking me into his sleigh and carrying me home to see his family, of whom he might be proud, for Mrs. C. is quite the best looking woman I have seen about N. Y. That is the way people treat each other on New Year's Day. Everybody does just so.

"Your letter and the draft from Father came very

opportunely for which I will not thank you, for that would imply that my gratitude to you and him was capable of being put on paper or in words.

J. H. C."

To His Sister

"New York City.
Jan. 13th, 1856.

"Dear Carrie,

* * * * * * * *

"You thought New York was a lively place when you were here, but the last week the gayety has been intense and indescribable. When the snow banks got fairly broken up everything that could be got upon runners was started on Broadway. The great omnibus sleighs, none of them when full carrying less than 75 or a hundred men, with from four to ten horses apiece, attracted great attention. Every bit of horseflesh above ground commanded an enormous price. I heard of $45 being paid for the use of a sleigh and pair of horses for New Year's Day. As long as the sleighing lasted Broadway was as uproarious as Boston or Salem on the 4th of July. Such cheering and music, and blowing of horns as would distract a sane man, or make a mad one sober. Now, however, it seems to be all over. Last night the January thaw set in, which seems likely to go to the bottom. The streets are now as impassable from the slush and water as they were from the snow banks a week ago. * * * "

To J. H. Clark

"New York, February 16, 1856.

"Dear Jo:

"When I feel particularly stupid as was the case yesterday morning, nothing does me half so much good as a

slap on the back from some genuine friend, or just such a jolly epistle as you sent me then. Ever since the memorable day of the Salem Muster, when shoulder to shoulder we marched in triumph over the tented field and so narrowly escaped the uplifted bayonets of the treacherous foe, I have been wondering what had become of you and wishing I could hear how things are going on in Mason Street. And now to have all the Cambridge gossip sewed up so pleasantly by your graceful hand and to be so kindly remembered by all your household whom I shall always reckon among the best friends that I left behind me is the next best thing to being among you face to face and feeling the grasp of your hand which used to penetrate almost to the bone. Your style, Jo, is more graphic than I should have supposed you capable of. You tell of the inimitable Sibley, and the Historian of Union stands before me in all the grandeur of his unctuous presence. You speak of Jennison and I tremble at the thought of the overarching terrors of his beetling brow with something of the awe that must inspire the Mediterranean voyager as he floats along beneath the impregnable battlements of Gibraltar. You relate the migration of the Colburns, and I feel the utter dreariness of Ash Street. You mention the name of the lovely Katy, and my eyes water to think of the distance that divides us. Since I left Massachusetts, as you know, I have wandered many a weary league from home and visited the great cities of the West. In spite of their much-boasted prosperity, I found nothing there to seduce me from New York where I had already made up my mind to try my fortunes before leaving Boston. We had an uneventful but pleasant journey, saw Niagara, steamed over the Great Lakes, crossed the Mississippi and re-

turned with a more enlarged idea of our great country of which New England is so small a corner, but very well satisfied to get back once more to the civilized borders of the Atlantic. Almost every other man in the Western Country seemed to be a Dutchman, and as I am not particularly well versed in the German language, I never could feel exactly at home among them. In fact my whole Teutonic vocabulary may be summed up in the one word 'Regenbogenklantz,' a rainbow, which Miss Annie Wells will very distinctly remember beating into my obtuse brain. However, as I go in for making the most of all my opportunities, I greedily seized on a chance of bringing my whole stock of German into play. On our way down from Niagara Falls to Buffalo, we found ourselves as usual among a car full of Dutch emigrants on their way to the far West with their wives and families and the wretched remnants of fortune they had brought from home. They had evidently just landed on our shores and couldn't speak a word of English. The conductor came through and demanded their tickets, but being a blunt Yankee with all a Yankee's contempt for barbarians he couldn't translate their jargon. The Baggage Man came in for their checks, but he was as bad as the conductor and they couldn't make themselves understood. They knew nothing of the way they were going, and wanted to find out everything, and altogether were sadly in want of an interpreter, but no such aid was at hand.

"It had been raining hard all the way from the Falls, but as we approached Buffalo, the sun broke through the clouds with uncommon brightness in the West and attracted the admiring gaze of our German companions. Of course there was a brilliant rainbow in sight from the

opposite window of the car which I was the first to discover. Leaning forward among the Teutons who were so intent upon the setting sun, 'Regenbogenklantz' said I at the top of my voice. 'Regenbogenklantz' each Dutchman involuntarily responded, starting as if they had been shot and facing about to look at it, but only for a moment as if to assure themselves that they had heard a real voice from the Vaterland and not an empty echo. Then they turned upon me, greedy as a pack of wolves, thinking that here to be sure was their long-wanted interpreter. In wild and exultant tones they speered at me question after question and would not let me go, confiding to me doubtless all their long-cherished sorrows, and their pent-up wants. But I could only hang down my head and look very sheepish, and faintly whisper 'No! No! No!' since when I have carefully avoided all their dialectic peculiarities, more convinced than ever that a little knowledge is a dangerous thing.

"I am glad to hear that you appeared before the public at the October Exhibition in so respectable a character as a Greek Version, for which species of performance I have had a particular predilection ever since I repeated on a similar occasion some touching extracts translated into the vernacular from λοχούργου χαιὰ λεοχρανοῦς. What studies have you taken as electives for the Junior year? I suppose an advance of one year more in college has had the effect as usual of making you more proud and conceited than ever.

"I have not yet got an office of my own and no small boy. I don't aspire to that distinction before the Autumn. My address is William M. Evarts, Esq., No. 2 Hanover St., N. Y.

"Write me again and often, my dear Jos., and keep me

posted on all the Cambridge news, and so long as clients are as scarce as now, I will try to do justice to your correspondence. Give a great deal of love to your uncle and aunt and to Aunt Carrie as well as to my good friends the Wellses and believe me,

Faithfully yours,

J. H. Choate."

"New York, Feb. 25, 1856.

"Dear Mother,

"I have been spending Sunday with Waring in Brooklyn and had no very good opportunity there to write you on Sunday as usual. I went to Dr. Farley's meeting with Mr. Sherwell and his uncle and saw there a great many people whom I had seen before. The whole Low family seemed to occupy the chief seats in the synagogue and of course are among the chief pillars of the church.

"Last week I got an order from one of the Judges of the Supreme Court of my admission to the Bar, and expect to take the oath and sign the rolls this week, but you have seen enough of young lawyers already to know that our fortunes are not all made at once upon our being enrolled among the Esquires.

"Mr. Carlile and Horace I saw on Saturday, and Mr. C. said he should try and find somebody to sue so as to give me a case.

"Washington's birthday was celebrated with a great deal of noise and jollification on Friday, and somehow or other they have ever so much more jolly ways of doing that sort of thing than in Boston or Salem. In the evening I had the good luck to go to the first party I have attended in these parts—at the Mansion House in Brooklyn given by the boarders there, of whom Mrs.

Sherwell who invited me is one. It was pleasant as parties in general, but the hours they keep are outrageous, beginning at ten and not breaking up till three. How people stand such dissipation often repeated passes my comprehension. And in fact they don't stand it any better than you would suppose, the ladies especially having a very jaded look, which betrays the bad effect of the system. Lizzie Carlile writes me that they are still on the lookout for a house, and I can well imagine that it must be a difficult search.

"I heard indirectly of Charley Upham the other day as being at Gibraltar a month ago in company with Wilder Dwight and some other old Cambridge friends, and intending to go as far East as Sebastopol.

"What times you seem to have been having with the snow in Massachusetts. It is two or three weeks now since it snowed here, and everybody now is wishing that we may never see any more of it again. It plays the mischief so with travelling about the city that we all vote it a nuisance. In Broadway they have shovelled it all up into the middle of the street where it lies like a mountainous ridge from one end of the city to the other, in some places rising to the height of seven or eight feet.

"I am very glad to receive the *Register* which is certainly a good substitute for the *Observer*.

"Hoping you are well and happy, I am with much love,

Yours ever,

J. H. C."

"New York, March 3rd 1856

"Dear Mother

"I'd rather write home Sunday evening than any other time in the week, but last evening I spent at the Gibbons's, and on the way down with Mr. Hopper stopped

so long at his house (which you must know is a charming place, a nice, plain old Quaker home, with some modern fixings in it since they ceased to be Quakers) I stayed there so long that I thought best to postpone my letter till now.

"Here I am still in Mr. Evarts's office, and in a state of pretty considerable doubt what to do next. I think that perhaps it isn't practicable for me to open an office by myself before next fall, and then on the other hand, there are many reasons in favor of starting out at once. In going into another man's office in whatever capacity, the great thing or at least the first requisite, is to find a thoroughly respectable man, for there are so many bad characters in the profession here that a young man is in danger, if he proceeds rashly, of forming connections which will give him at the outset a bad odour among the better class of men of which it will be hard to rid himself. So I shall try to look before I leap.

"The novelty of my boarding-house is wearing off, and I am getting tired of it. In the spring I rather think I shall find a place somewhat further uptown where I shall be nearer my friends.

"To-day and to-morrow of course are exciting times in Salem. I should like to be there to vote against know-nothings and free-soilers,* to whom I haven't become

* In 1848 both Democrats and Whigs dodged the question of slavery in the territories, and a convention at Buffalo, composed of those opposed to the extension of slavery, declared it to be the duty of the federal government to abolish slavery wherever it had the constitutional power, and that the true and only sane means to keep slavery out of the territories was by conventional action. So began the Free-Soilers, and nominated Martin Van Buren for President and divided the Democratic vote in New York State, so that Cass, the Democratic candidate, lost the State, and Taylor (Whig) won it and the election.

The Know-Nothing party began in 1854, growing out of alarm at activities of the Roman Catholic clergy and at the influence of "the ignorant foreign vote" in elections. Its slogan was "Americans Should Rule America," and an order attributed to Washington, "Put none but Americans on guard to-night," served as its key-note.

any more attached since I came to New York. But I would rather be a voter in Salem than here, for nobody can form an idea, I'm afraid, of the extent to which corruption and cheating are carried on at elections here. Something will have to be done by and by to the City Government of New York. What do you think of a tax of six millions and a half of dollars for its current expenses the coming year—which is an increase of three millions since 1850! It is truly horrible and seems altogether incredible.

"Everybody in New York that knows anything is looking for a rich feast tonight in Mr. Everett's oration on the character of Washington. I am going to hear it and expect it to be the last triumph of eloquence. There are some horrible croakers here as in Massachusetts, who lose sight of all Mr. Everett's greatness and excellence, and deny it altogether, because, they say, he is a Doughface—for which I like him all the better. He is to speak in the Academy of Music, and I shouldn't wonder if this should be one of the few occasions on which that large building will be more than filled. * * *

"Isn't it splendid for William to be charming everybody so at the outset? Of course 'his argument was one of the best that had been heard in the court house for many a day.' But you and I have reason to know very well it will always be so. J. H. C."

"New York, March 10, 1856.

"Dear Mother,

"Yesterday I went to church by going to Mrs. Gibbons's and reading Dr. Walker's sermon on the death of her son which is certainly a very beautiful tribute to his memory. I want you to know Mrs. G., mother,

WILLIAM M. EVARTS (1818–1901).

From a portrait painted by William M. Hunt in the seventies.

somehow or other. I believe she is the greatest and best woman in New York today. To be sure the whole charm of her life is gone, with her son who was the family's idol, and to whom she devoted herself with her whole might in a way which nobody can understand and appreciate so well as you. I know that you would love each other very much. Her friendship is very unpretending but very true, and I think there is nothing in her power that she wouldn't do for a friend. If anything should happen to me, for instance, alone as I am here, you may be sure she would take me in charge and stand by me through everything, and come as near as any woman could to making your place good. Her home is the only place I have yet seen in all New York that is perfectly free from everything worldly & selfish and the false life which is generally led here. She manifests an interest in you all, and we mustn't let slip the first opportunity for you to know her.

"Last Wednesday I attended a party with the Carliles at the house of their friends the De Forests in 30th Street, who seemed to be very pleasant and sensible people, who warned their guests to come early and especially to go away early, and sure enough we came home at eleven o'clock. It was a family party, and the family is one great nest of lawyers, in all stages & ranks in the profession, from the fledgling that hasn't yet had his first case to Daniel Lord, who has grown old in the service, and has stood always in the front rank, and sometimes at the head of the Bar. Mr. De Forest is in the South American business in the same line with Mr. Carlile, and they seemed to be excellent friends of his, and treated me very kindly.

"Father's kind letter I received on Thursday and only

hope I may prove worthy of all you do and have done for me.

"I want to tell you about Mr. Everett's oration on Monday which was the great event of the week. That great house you know holds six thousand people, and quite early on Monday every ticket was taken up and there was still a tremendous demand. The doors were to be opened at seven o'clock at which hour you will guess I was on hand. Thousands of people were waiting outside for admission and at the opening of the doors there was a mighty rush. To our dismay, however, upon getting inside, every seat in the house seemed to be already occupied by those who had a friend in the cabinet, and had been admitted by the side door. However, everybody was content to stand up if so they could see & hear Mr. Everett. You saw that house by daylight and empty and can hardly form an idea of it under the brilliant illumination of a thousand gas lights, and every nook and corner of it from the orchestra to the fifth story filled with a respectable and well dressed audience. I found my way into the orchestra and succeeded in getting a chair there just in front of the speaker's table about ten feet off. When the hour for the lecture arrived the curtain rose, as for a play, and disclosed the whole stage behind it, occupied by successive rows of seats to its remotest corner, which were filled with specially invited men of note. There were Genl. Scott and Mr. Bancroft & Mr. Bryant, Mr. Grinnell & Peter Cooper, with all the most eminent merchants and lawyers & men of the city. It had a very pleasant effect, and the whole house was a great spectacle. I have heard Mr. Everett several times before, but never where he came out so great as then. It was a great subject, treated as it deserved. I

very much doubt if a more beautiful view of Washington's character can be found in any one of the million orations which must before this have been pronounced upon him, and I am quite sure that no orator ever received a more satisfactory tribute to his genius than was paid to Mr. E. by the presence of such an audience, so great and so well made up, and the perfect attention and admiration that beamed from every listening countenance. Mr. Everett is evidently getting old, which did not appear so much during his discourse as at its close, when he seemed hardly able to drag one foot after another to his seat. But I suppose he never had to work so hard as in those two hours in that monstrous house.

"I have got a professional job, the looking into the title to some land, for which in the fulness of time, say by next fall, I shall get properly paid.

"It is very cold here today and yesterday—very little above zero.

Your loving son,

Jo."

"New York, 30 March 1856.

"Dear Mother,

* * * * * * * *

"I had no idea until walking up among them this morning of the wretched condition in which our Irish laborers live. Quite across the island up in the neighborhood of 100th Street, there is a great village of miserable cabins, occupied by them, in comparison with which our old pigsty, which you of course have not forgotten, was a costly & respectable tenement. The same style of buildings are to be seen on all the Avenues for some 20 streets down. And, within two miles, in a beeline from Dr. Townsend's Sarsaparilla Mansion the paddies and pigs

live promiscuously together, constituting one family in houses of a single story and no partitions at that.† * * *

"Butler & Evarts have just made me an offer which I have about concluded to accept. It is to remain in their office for a year from the first of May, to make myself generally useful, at a salary of five hundred dollars. This is starting at the bottom of the ladder which is the only proper place to begin, if one hopes ever to come near the top. And I am pretty well satisfied that it will be my speediest as well as surest introduction to advancement in the profession. It will be a year of 'confinement to hard labor' for everybody in that office works very hard, and in New York especially anybody that hesitates to do that will soon be left behind. On the whole I consider myself very lucky and so my friends tell me to whom I have mentioned it. It is not for the present profit of the arrangement although that is certainly respectable, but for the fact that that is one of the best offices in the city to learn business, and a young man who has been trained there will be much more likely to command confidence & business afterwards than one who starts without any such experience to prepare him.

"This evening I called at Dr. Stone's. He had gone to Church but his amiable lady was at home and I made quite a long call. And when I make one call I am sure to make several, for it is such a consummate bore to get ready and start off, that every occasion when I succeed in overcoming that part of the difficulty must be made the most of. So I went to see Billy Daland and his lady, & some very remote cousins, the Kendalls—two birds

† The tenements of that time were still worse. Prior to 1866 New York was one of the most unhealthy cities of the world, with a death-rate of thirty-five to forty-five per thousand.

which I make it a point always to kill with the same stone, for they live within half a dozen blocks of each other. * * *

Your loving son, J. H. C."

"New York City
6 April 1856.

"DEAR MOTHER,

* * * * * * * *

"I have of course accepted Mr. Evarts's proposition. As to a vacation in August at which father hinted, there will be no difficulty, for during July & August business slacks off very much, the courts are shut, the lawyers scatter, and everybody can have a chance for a run, though of course young men cannot absent themselves like those whose fortunes are already made.

"You may believe that I was elated the other day by the receipt of my first fee in New York and that, too, no less a sum than thirty-five dollars, which, as it took but a part of two days' work, I thought a very tolerable beginning. And you may imagine with what satisfaction I sent a part of it to Mr. Neal in response to the circular which he sent me in behalf of Master Carlton, to whom we all owe so much. Grandsir, I remember, used to tell George to nail his first quarter, that he got for hauling a tooth, to the wall to remind him always of the beginning of his fortunes. But certainly it is as well to devote a portion of the first fruits to some good work, and I know of none better than the expression of our gratitude to our old & faithful teacher. I am glad to know that those who have that matter in charge are doing the thing up handsomely, for surely Mr. C. has been treated very shabbily by the City Fathers. Don't they deserve an O. K., O. K., O. K.,—which means, you

remember, 'an awful cut from Oliver Carlton's awful cowhide.'

"Then, too, I have been engaged during part of the last month in another piece of work for which my fees, when I get 'em, will be upwards of a hundred dollars. So that my income for the next year can not fall short of six hundred, which is certainly a great deal to be sure of before the year begins.

"All which confirms the idea which I got at the outset that New York is the place to get along if one happens to have good luck. Such, however, has a great deal to do with professional success here as elsewhere, and sometimes I hear of dolorous cases which make me blue & gloomy for a week after. A few weeks ago, for instance, I was walking up Broadway and overtook an old acquaintance of mine at Cambridge, who always stood well there, and is regarded as a worthy fellow of respectable talents. He had had a sign out over an office here for a year & more, and I supposed he was doing moderately well. But he told me in tones too doleful to be depicted, that his whole gross receipts for the first year had been just five dollars. So goes the world with him, while many a worthless scamp here in every sort of business is piling up his thousands. Nothing, however, is more preposterous than the idea with which many young lawyers, among others, come here, of growing rich in a day. It is as ridiculous, it seems to me, for a lawyer to expect to make his fortune in a few years by practice in New York, as it would be to think of ever doing so in Salem. If we rub and go through the first ten years, and come out whole & stand fair then, it will be all that anyone could ask or hope. * * *

With much love, I am, J. H. C."

"New York, 14 April 1856.

"Dear Mother,

"I shall take the morning train for Boston next Saturday and hope to be among you all by tea time.

"I have made up my mind to continue at my present boarding house, and not to think of changing. I was disposed to be a little tired of it at one time, but it wears pretty well on the whole, and there isn't one chance in a dozen that I should better my condition by shifting about. There is some advantage too, I think, for a stranger here, to be in so populous a house, where there are always so many and such constant changes, that it is really in that respect not much unlike a hotel. Especially now as the 1st of May approaches, all the boarding houses that have a permanent and established character, of which ours is one, rapidly fill up. For a great many of the people who keep boarders break up their establishments on that day when their leases expire, and set all their boarders adrift, who of course are anxious to find a place where they will not be liable to a repetition of the same calamity. * * *

I am your loving son,

J. H. C."

"New York, 4 May, 1856

"Dear Mother:

"After quitting Salem on Monday I passed several very pleasant hours in Boston, saw Charles in his office and Lizzie in her rooms, had a hasty meeting with Mr. (Rufus) Choate who was busier than ever and who assured me that he got ready a great deal of dinner on Saturday for me and could find nobody else to eat it.

"I sent father during the week a paper containing

an account of a Black Republican meeting in which I supposed he would be interested. On the occasion Mr. Evarts made a very successful debut as a political orator. His speech was really a capital one and is only very imperfectly reported in the newspapers. The meeting was almost exclusively a city affair, or else I suppose Mr. Upham who was a quiet auditor, would perhaps have been invited to speak.

"Ogden Hoffman, who has long occupied the position of 'the great orator of New York' died very suddenly a few days ago. He began life as a midshipman and has had wonderful success, which was owing solely to his great gift of speech. There has hardly been an important criminal case here for twenty years in which he did not appear on one side or the other. But he was a notoriously lazy man and an extravagantly high liver, but for which he would have won a still more brilliant & more extended fame. * * *

"I carried Carry's note to Mrs. Gibbons. There I saw her ladyship Mrs. Nat Silsbee, as large as life and twice as magnificent. Take her for all in all, I think she's the richest combination of attitudes and absurdities that was ever put together in the shape of a woman. What a capital queen she would make if we should ever get tired of Republican governments and stand in need of Royalty. Her lovely daughter I did not see, but as she spoke of her baby I suppose she is somewhere in New York. Yesterday I met Mrs. Pickman in the street.

"To-day's paper contains the news of the death of Dr. Warren of Boston. The old graduates of Cambridge are rapidly falling away, and if I recollect right, scarcely fifty survive of the classes previous to 1800. * * *

J. H. C."

"DEAR MOTHER, "New York 11 May 1856.

* * * * * * * *

"Mr. Wood, the celebrated Mayor of New York, has gone to Virginia, to deliver an oration & to contribute the proceeds toward the purchase of Mount Vernon. He has never before been known as an orator, but seems just now to have been seized with a sudden desire to emulate the example and the fame of Mr. Everett. I suppose he is one of the most unprincipled rascals that popular election has ever thrown to the surface of things. But on the principle of setting a rogue to catch a rogue, he makes an excellent Mayor, being capable of detecting the shortcomings of his subordinates, who imitate none so much as himself, and at the same time of concealing from their vigilance his own misdemeanours. * * *

J. H. C."

"MY DEAR SISTER, "New York 19 May 1856

* * * * * * * *

"Nothing surprises me more in N. Y. than to see how the city is constantly being rebuilt, even in those parts where its magnificence seems almost complete already. All up and down both sides of Broadway, a great many buildings which were themselves quite respectable, are being demolished, and every day some other one begins to disappear, and if all the changes there which have been contemplated and commenced are completed during the season, they will make quite a street of it before next winter. * * *

J. H. C."

"New York 26th May 1856

"Dear Mother,

* * * * * * * *

"How the cousining spirit of the Choates crops out even amid the turmoil of business of New York. Nothing can keep it down, and in the most adverse circumstances it seems to flourish best. On Saturday I was in the office when a strange gentleman entered and inquired if there was a person by the name of Choate in that office. 'That's my name, Sir,' said I. 'How are you, Mr. Choate; my name's Holbrook.' Well, thinks I, here's a pretty state of things. What is Mr. Holbrook to me, or I to Mr. Holbrook? But in a moment the recollection of the Rowley Branch of our family flashed upon me, and the almost forgotten visage of the lost Amory rose to my mind's eye. And sure enough he turned out to be Amory Holbrook's brother Willard, of whose existence I was altogether ignorant. He has been a New Yorker now for a dozen years, and is in business close by us—a cotton broker. The ties of blood seem to bind him uncommonly strong, and you may believe we fraternized like the long lost kinsmen in the play whom Fate had parted and Time had reunited. * * *

J. H. C."

"New York, 2 June, 1856

"Dear Mother:

"Mr. (Rufus) Choate and Rufus passed through the city on their way home from Washington on Friday. I saw them for a moment. The papers said that his blood was boiling while in Washington, but I saw no symptoms of it.

"Mr. Evarts as you see by the papers is rapidly growing into a great man. He was the chief manager of the

mass indignation meeting last week, which is said to have been as remarkable for the character of the people that composed it as for the cause that called them together. The Old Fogies—the thousands that the politicians never can count upon—are fairly aroused, and come out in full force. So it is in Brooklyn, and so it seems to be everywhere. * * *

"I shall want no more regular supplies from father, but if he will enclose to me $20 to start on I hope to do very well for myself for some time to come.

With much love I am, ever yours,

J. H. C."

"New York, 13 July, 1856.

"Dear Mother:

"John Welles called to see me on his way home from the South. He has already made up his mind to return to Mississippi in the fall. Like almost all young men from the North who go south to remain for any length of time, he returns a zealous defender of the peculiar institution.

"Mr. Upham's Life of Fremont appears to be having a good sale, which he owes very much to having got so far the start of several others that are now almost completed. Among many others there is one being written by Mr. Bigelow, editor of the *Evening Post*, which is expected to be a good one. In spite of the heat, and the absence of a great many people from the city, political excitement is beginning to run high here. The other night we organized in our Ward as a Fremont Club, and similar associations are formed throughout the city. Among the rest Mr. Evarts is quite an ardent Republican, and is thinking of going to Boston to speak in Faneuil Hall on Friday evening. * * *

J. H. C."

To J. H. Clark

"New York 18 July 1856

"Dear Joe:

"Your pleasant epistle came duly to hand, and now with the Thermometer at 94, and growing worse at that, I have seated myself to reply. I know well enough without a college catalogue that this is Commencement week. The 'internal evidences' are quite sufficient to satisfy a reasoning mind of that. This part of creation can have been turned into Tophet for no other purpose. When I entered college, Commencement was about the first week in September, but as that week was always uncomfortably warm, a change to July suggested itself to the Corporation as a proper remedy. But as soon as the new law went into operation the seasons changed to suit it, and ever since as regularly as the year comes around, the sun stands still over Cambridge for the three days of public exercises to boil the literary pot, and though the collected Alumni from the palsied bald-head of 1784 to the last Freshman that received his papers on Tuesday night, unite like the Jews of old in crying in the morning 'Would God it were evening!' and in the evening 'Would God it were morning!' yet there is never any slacking off of the savage heat, until the last pie-crust has been swept from Harvard Hall, and the last rejected applicant has turned homewards his lingering steps. And so I believe it would be if the powers that be should once more essay in their wisdom to rectify this melancholy state of things by fixing the day before Christmas for Commencement, the Sun would once again turn back upon his course and still ride in Cancer when he ought to be in Capricornus.

"Would it not be an interesting inquiry for Professor Pierce who has taken so much pains to calculate the square feet of foliage on the Washington Elm and the number of blades of grass on Cambridge Common, to find out how many pounds of solid flesh are tried out of the 3,500 graduates during this blessed anniversary, and how many bucket-fuls of liberally educated perspiration go to moisten the classic shades of our Alma Mater during the same period.

"I thought of you yesterday in your first feast at the table of that Bacchanalian Society, Φ. B. K. I need not tell you how much I should have liked to sit down with you to another of those sumptuous banquets of chicken wings and gooseberry pie watered with the most innocent soda and lemonade, to hear again Professor Bowen's dyspeptic jokes, and when Felton rose to speak, how the smiles that rippled over his own rolling features, gradually spread like the concentric circles in the ocean throughout the whole assembly. There was one fine thing always in the performance of the day after Commencement, and that was the glorious speech which came as a matter of course from old Josiah Quincy. The old man seemed to grow more genial and eloquent every year, and if he lives a half a century longer I believe he will continue to be the brightest light of Commencement Week."

Josiah Quincy, 1772–1864, Federalist Congressman, 1805–1813, Mayor of Boston, 1823–1828, president of Harvard College, 1829–1845, is one of the Harvard immortals. To men of Mr. Choate's time and later, "when Quincy was president" was about the equivalent of the *consule Planco* of Horace. It is recorded

that as member of Congress, Quincy opposed the embargo, the admission of Louisiana, and the War of 1812. He wrote a history of Harvard College.

To the Same

"Saturday 19 July 1856.

"The only subjects agitated in New York this summer are the weather and politics—and as soon as the former begins to abate, the latter will rage with an ever-increasing fury until the election is over. We hope that Fremont will do great things here and it is even possible that he may carry this desperate city, so long the great stronghold of the false democracy and its kindred abominations. It will indeed be a political miracle if this youthful party, with young and inexperienced leaders, and with no resources in public patronage, shall be able to triumph over the veteran Democracy, with its thirty years organization marshalled by the most wily and unscrupulous men, and backed by the whole public and private influence of the federal government. But I am one of those who believe that the days of miracles are not yet done, and I trust that the coming Autumn will not more surely bring round the fall of the leaf, than that it will bring with it the fall of the ruling powers from the high places which they have so long polluted.

"With many grateful recollections of all within your household, I am,

Your loving friend,

J. H. Choate."

The Fremont campaign with which the Republican party began was very lively. Rufus Choate, after deep

reflection and long hesitation, found himself unwilling to see the country face the consequences of Fremont's election, and came out for Buchanan in a notable letter. Nevertheless, the New England States, New York, and Ohio went for Fremont. He had 114 electors, Buchanan 174, and Fillmore 8.

"New York, 7 September, 1856

"Dear Mother,

"You will be surprised to hear that I have become a soldier; have been actually enrolled among the Fourth Regiment of uniformed militia of the State of New York, and summoned to appear at the parade ground on the 13th day of October fully equipped for inspection and martial service. Don't you think it will be worth your while to visit New York on that occasion for the sake of seeing your youngest son in arms, marching to the field in the service of his country? Who knows but that I may be made corporal at the start and rise in time to be a major general, so at last giving one answer to those famous questions which John Ball asked: 'What will this boy be? and this boy? and this boy? How many of 'em will be Presidents of the U. S.? how many of 'em Governors? how many generals? etc.' All joking apart however this enrollment is only an ingenious device on the part of the authorities to swell the public funds by gouging a pitiful fine for commutation out of every decent man between the ages of eighteen and forty-five. * * *

J. H. C."

"New York 28 Sept. 1856.

"Dear Mother,

"Nothing in the world has happened the last week and I am sure I don't know what to write; and besides

I have been so busy all the week as not to have had time to turn round once, and it has flown so fast in consequence that really we seem to be just where we were last Sunday night equally at a loss what to say then. It even reminds me of the old Cambridge days when we felt obliged at least to go through the motions of letter writing whenever the expressman came for the valise, and the sum and substance of it all generally was that we had nothing to write, and no time to write it in. Or perhaps it is more like the time when we made our first experiment of all in letter writing in the old back-parlor round that great square table, with your mammoth work basket for a post office, and wrote those anxious epistles to find out how we did, and how we liked our new post office.

"One thing I have seen though that I never saw before—and that is a *crowd.* Mr. Banks spoke on the steps of the Exchange on Thursday, and it seemed as if the whole male population had turned out to receive and hear him. Wall St. was one solid junk of men. No attempt was made, either, to call the people out. There were no banners, no bands of music & no procession. But nevertheless they stood and looked at him, and listened to him patiently for two long hours, without being able to hear. And that is what I call a flattering reception. He certainly has left an uncommonly good impression on the minds of the New Yorkers to whom he was a stranger before, and nobody of any party is heard to say anything against Speaker Banks.

J. H. C."

There is local pride in this description of enthusiasm in New York for the "Bobbin Boy" from Massachusetts, at that time the first Republican speaker of the House,

elected to that office on the one hundred and thirty-third ballot, after a bitter two months' fight.

"New York, 27 October, 1856

"DEAR MOTHER:

"You have heard of course of my speech for Fremont which was received so kindly by my friends. Mr. Hopper told me he had sent you one of the famous handbills which were certainly a great part of the glory. If a man can ever speak for anything, now surely is the time and this the cause. J. H. C."

"New York, 2 November, 1856

"DEAR MOTHER,

"We commiserated your situation this last week most heartily in having to harbor and entertain such a horde of Sunday School teachers, who are generally, so far as my experience goes, the most uninteresting of mortals. I hope that however much has been inflicted upon you, you had nobody quite so bad as our old visitor Mr. —— but I think the difference between him and the common run of Sunday School teachers is only a difference in degree and not in kind. * * *

"On Friday night I went up the river to Peekskill and addressed the Republicans of that village at their last Rally before election. It was quite a different audience from that which I had here in the city—no flags and banners—no music and uproar, but a quiet company of farmers and country mechanics who went as they would go to meeting, and sat with mouths and ears wide open, drinking in everything that was said like so much law and gospel, and signifying their approbation not so much by any tumultuous applause, but each one turn-

ing round to his next neighbor, when a point was made, and nodding knowingly, as much as to say 'that's it.' But I got along very well with them, and spoke an hour and three quarters without quite exhausting their patience. All the regular Republican orators about here are now thoroughly used up. They have been worked to death, and of course the mere amateurs like myself have been much in demand during these last days as a fresh supply. I had invitations for nearly every night the last week. * * *

J. H. C."

"New York, 15 Dec. 1856.

"DEAR MOTHER,

* * * * * * * *

"The Gibbons family are in good condition and whenever I see them have much to say and ask about Salem and Carrie and all of you. Just now they are busy in getting ready for their annual Anti-Slavery Fair, which they enter into with a great deal of zeal. But it seems to me to be a very doubtful object, helping and inviting the slaves to run away from their homes and owners. * * *

"Mr. Wm. Henry Hurlbert whom you know by reputation at least, has distinguished himself by an article in the *Edinburgh Review* which created quite a sensation. And of course he is quite the rage in certain circles, but by and by we shall see him come down from his high horse. J. H. C."

Already, it appears, in 1856, it was a mark of virtuous character in New York to disapprove of William Henry Hurlbert, a clever, accomplished, and interesting man,

who was understood to pursue subsistence and pleasure with complete indifference to the Ten Commandments. He was reputed to be the original of "Densdeth" in Theodore Winthrop's novel "Cecil Dreeme." There were innumerable stories about him. He succeeded Manton Marble as editor of *The World*, and got control of it and sold it to Joseph Pulitzer.

Regaling his mother on the first Sunday of 1857 with some account of his exploits as a New Year's caller, Joseph goes on to say:

"On Friday I had the distinguished honor of an interview with Colonel Fremont. Mr. Gould, whose business relations with the Colonel are intimate, sent for me to come over to his office and meet him. I found him very pleasant & affable, and we sat down and had a quiet conversation. He is a much better looking man than you would suppose from his pictures—not half so handsome and oily as they make him out to be, and nobody I think can see him without admiring. * * *"

But other thoughts than politics keep working in his mind. "I give you joy," he writes to his mother on January 25, "on having our birthdays come around once more and finding us both with so much to be thankful for. I must say, however, that I am not a little disgusted to find myself a quarter of a century old and yet nothing better in the world than a poor 'lawyer's clerk.' I am getting more and more impatient of this crawling pace at which all of us young men are condemned to jog along, and find it very hard sometimes to keep from grumbling. One thing I have resolved upon and that is, when the time of my clerkship expires the first of May to wait

no longer for something to turn up, but to strike out for myself and see what can be done. I may want considerable 'boosting' for a year or two, but certainly no more now, than will be necessary at the start however long I wait."

Again he writes to her (April 13):

"I have been considering a proposition to go down and practise law in the rural districts of Pennsylvania, down among the coal mines, and though the offer comes with a guaranty of considerable business there, you may judge pretty well in what decision my consideration will result. I do hate the country from the bottom of my soul. My plans are fixed and I do not see any wisdom in turning aside for any trifling allurements."

"I hope," he tells her on May 17th, "that your anti-abolition principles may not be shocked to hear that one morning last week I breakfasted with Wm. Lloyd Garrison at John Hopper's, and found him excellent company. Indeed it is hard to believe that such a mild and benevolent old man could ever have delighted in stirring up the people to mobs.

"I shall be delighted to see George and Sue tomorrow, for this being cut off from all one's kith and kin and seeing only a 49th cousin occasionally is not so satisfactory to me as it would be to one less troubled with family pride. * * *"

Whenever the call came from Harvard College his heart always responded, whether he could yield to its

promptings or not. Thus, he writes on June 6, to J. H. Clark:

"Dear Jo:

"I thank you for the promise of a hearty welcome at Cambridge on class-day—but cannot come. Our courts do not adjourn for the summer until the end of June, and it is not well for a young and almost briefless barrister like me to run away before that. I have no doubt, however, that the class-day performances of 1857 will be inferior to none of the past, excepting always and everywhere the inimitable and unapproachable class of '52. When I consider how many stars there were in our galaxy and how bright they were, I am lost in wonder as to what could have been the design of Providence, in robbing whole generations before and after of so much glory to concentrate it all upon one single year. The unusual modesty of this train of thought may surprise you, but I want to impress upon your mind the fact that there have been other classes besides yours, who without any unwarrantable conceit or vainglory regarded themselves as the brightest band of Alumni.

"The glimpse which your last letter has given me of the present unwholesome state of College morals is mournful and shocking. For the Senior Class to engage in the lawless sport of a boat race is bad enough, but that they should so far forget that they are a prominent and responsible part of an institution whose only motto is 'Christo et Ecclesiæ' as to stake each man of them his 'last red' upon the success of the *Huron*, and *after all to lose it*, is inconceivably disgraceful. It is consoling, however, to think that the new chapel is fast growing to completion, which will afford room for a more enlarged and

commodious Christianity, and for a wider dissemination of religious sentiment among the undergraduates so that the next generation of students perhaps will decline to join a regatta, or if they go, will not bet, or if they bet, *will win.*

"I am anxious to hear what is to become of you after leaving college. Have you chosen the law?—for of course you have chosen by this time.

"I hope to be in Cambridge at Commencement and to partake of the feast of eloquence which is getting ready for that occasion.

"Have you yet selected the subject for your oration? Why not give us something about 'The Progress of Modern Science as exhibited in boat-building'—or 'Olympic and American Games compared and contrasted'—or a poem suggested by the words of the scriptural minstrel.

> "'The race is not unto the swift.
> Nor them that fastest run.
> Nor the battell to them peopell
> That's got the longest gun.'

"Taking this opportunity to renew to your uncle and aunt the assurance of the continuance of my distinguished consideration, I am,

Sincerely yours, J. H. Choate."

The panic of '57 dates from late in August of that year. It must be that when the litany was put together in the prayer-book the religious world had had no large experience of money panics, for they are not included in the list of afflictions from which the good Lord is besought to deliver us. But nowadays they might be included, for they are very sore afflictions, much dreaded and long

remembered. The panic of '57 was one that bankers' children still tremble to hear of. There were warnings about it as early as March and April. In Rhodes's "History" it tells how Greeley said in *The Tribune* in April that the United States had run too deeply in debt to Europe, and that everybody owed too much. By the Fourth of July there was talk of hard times, and ready money was hard to get. On the 24th of August the Ohio Life Insurance and Trust Company of Cincinnati and New York failed for seven millions, and stocks fell. On September 25 the Bank of Pennsylvania at Philadelphia suspended, runs began on all Philadelphia banks, and their presidents by unanimous resolution suspended specie payments. On October 13 New York City passed the same resolution, to take effect the next day. The banks of New England, New York State, and New Jersey followed suit. Business was not really good again until 1860. Horace Greeley said the cause of the panic was the modification of the tariff of 1842. Mr. Rhodes, the historian, finds it due mainly to expansion of credit induced by rapid building of new railroads and by the new supply of gold from California. Many affluent families lost fortunes, and there are still people active and useful in the world who grew up industrious by necessity because of the effects of that panic. So perhaps panics will never get into the litany after all.

The panic was under full headway in New York when Joseph wrote on *October* 12, 1857:

"Dear Mother,

"There is nothing to speak of this week. Nobody talks of anything else but the hard times.

"The money panic rages like a hurricane or a devour-

ing fire, and sweeps off everybody that stands in its way, without regard to their strength or respect to their persons. Everybody predicts a most extensive destitution among working men and women the coming winter, and really it does seem inevitable, such vast numbers in every department of trade and manufactures are daily losing their employment, and being cast upon the world penniless and starving. Their wages in the best times are no more than enough to supply daily bread and very few of them would lay up anything if they got more. This is the most grievous part of the present calamities and in comparison with it the distresses of great operators and 5th Avenue Nabobs are insignificant, although, to be sure, we have seen and are seeing some proud heads in those quarters brought very low.

"The ministers hereabouts are making great capital of the general commotion and weekly draw crowded houses to hear their eloquent speculations, which for the lack of a little fleshly wisdom shed very little light upon the question. There is a widespread supposition which is as mistaken as it is general that the lawyers grow fat in these times upon the general leanness of the land. For aught that I can see, we lose our full proportion of bad debts, and are busily employed just now at the expense of next year's work."

A week later he says:

"Banks, hard-times and the panic absorbed all attention a week ago, but that has mostly subsided now. People have made up their minds like Mark Tapley to be jolly under the most inauspicious circumstances, and have gone about it accordingly.

"Dr. Bellows yesterday preached a panic sermon, in which he strongly deprecated the spirit of economy & retrenchment which is awakened everywhere, and urged his people to live just as they had been living, and to keep up their usual style. But some old codgers, and there are not a few of them in his congregation, shrugged their shoulders."

In the course of a month he is able to write on politics again, and says:

"If you are one of the anti-Wood party you will be delighted to know that we made a grand demonstration against the scoundrel Saturday afternoon at the Exchange; about ten thousand people got together and 'resolved' to vote for somebody else for Mayor. But the difficulty is that it was a well-dressed multitude and didn't include enough Irishmen, who are all sworn into the service of the present usurper."

The mayor was beaten for re-election by about two thousand votes.

A week later he writes:

"I believe there is another money panic in Wall Street today, consequent upon the European news, but whether it is as bad as the last I have not heard. You see people are now getting used to trouble and it don't hurt 'em."

December 13 he writes to his sister:

"Dear Carrie:

"The last week I have been quite dissipated having attended a dancing party and a dinner party. The first

at Miss Tracy's (not that Miss Lucy Tracy, about whom, as I have been told, you indulged in a family panic some time ago for my sake, and who is soon to be married to a distinguished Bostonian) but Miss Annie Tracy, one of the prettiest girls in all New York, and who will one day, if prophets tell the truth be the wife of Mr. Church, the great artist. There has been a new dance introduced here of late, called the Lancers, which to me is and will ever be a mystery and a labyrinth. The only clue to its windings which I can find is to cling to my partner with 'an unfaltering trust,' and plunge headlong on.

"Last night I went out to dine at Mr. Gould's, with Dr. Charles Mackay (pronounce that Mackeye) the famous Scotchman, who wrote 'There's a good time coming, boys!' and other popular songs, and who is now reaping more or less of a harvest by lecturing here. The company was not large enough to lionize him, and he behaved like a quiet & well-bred gentleman—but in outward appearance he was no more like my idea of a great lyric poet, than Miah Brown or Annie—but it may be the oats, which as Dr. Johnson says are the staple food of Scotchmen & which give him the look he has."

After long hesitation he changes his boarding place:

"New York, Jan'y 18, 1858.

"Dear Mother,

"At last, after many struggles and much perturbation of mind on the subject I have resolved to move. I shall be living after this week at the house of Mr. David Hyatt, No. 119½ Ninth Street, about half way between Broadway & University Place, being half a block about west of Broadway.

"There are but five or six other boarders in the house and all those gentlemen, so that I shall certainly be rid of many of the inconveniences and disagreeable accompaniments of the Caravansary where I have been living so much longer than I meant, or had occasion, to. * * *

J. H. C."

Neither law nor politics absorbed all his attention. He writes, February 28, 1858, to his sister:

"Dear Carrie,

"I write this letter to you because I have a very important announcement to make, which will doubtless be of becoming interest to you. And that is that a lady of distinguished position in society here, a leader of the fashion, arrived here last week from Paris *without hoops*. It is believed that this marks the beginning of the decline of the present fashion, and that very soon those inflated locomotives which have hitherto passed in our streets for ladies, will be remembered among the things that were. By and by, perhaps, thirty-six yards will make two dresses instead of one as at present. Have scarlet petticoats yet been introduced in New England? I assure you that in these muddy seasons when the outmost skirts are lifted out of danger, they present a unique and brilliant spectacle.

"The sewing machine must really work a complete and manifest revolution in your domestic affairs. Where is the creature kept? What does it look like, and how does it go?

"If it involves the working of all the limbs at once as you suggested, won't it be an excellent preventative for Mother's rheumatism? I am quite sure of that, and

don't believe the rheumatism and the machine can be kept in the house together.

"Has the religious revival reached Salem yet? Here it is quite the thing, especially among the negroes and the broken-down stock gamblers. Some of Mayor Wood's disbanded policemen, several aldermen and common scoundrels, also take prominent parts in the movement, and everybody prophesies, and the clergy hope, that the 'Church' will be replenished and recreated.

"Dr. Bellows, to be sure, broke ground against it last night, but then, you know, he is 'only a Unitarian,' and besides all the seats in his church are taken, so that nothing is to be gained by it."

To John Hopper, brother of Mrs. Gibbons, and his wife Rosa a son was born in the spring of '58, who was christened William De Wolf Hopper, and attained in due time to very extended fame. Joseph's intimacy with the Gibbonses and Hoppers, and delight in them, made him feel that something unusual should be done to express approval of the coming of this child, whose arrival had produced the more excitement because he was the first-born of parents who had been married for sixteen years. What was done is related in a letter, dated April 23, to his sister:

"Dear Carrie,

"I must tell you about our demonstration last night, because you will see nothing about it in the public prints, and because it was the proudest triumph of Christian Socialism that the world has yet witnessed.

"You must know that ever since the coming of 'our baby' Carter and Thayer and I have been burning to give its father and mother a manifestation of our in-

terest in an event so important to them individually and to the Church in which we alone as yet occupy the front seats.

"All that we waited for was for Rosa to be pronounced well enough to bear and to enjoy a little fun, for without her it would have come to nothing. We concluded that a surprise visit of all their best friends at 20 Third St. and a little supper would be the best shape which the occasion could assume. Accordingly it came off last night and was a perfect success. Mrs. Gibbons was first taken into the cabinet, and by her aid we concocted the scheme. She took possession of the house in the afternoon and spoilt the family dinner, so that they might not be unprepared for what was to come, and at 7 o'clock packed John off to 29th St. after the girls, who were all ready. This was the signal for us to rally and arrange the 'fixings,' which consisted in the first place of a good supply of flowers—quite a pretty bouquet for each lady that was expected, and a grand central pyramid for the general eye to feast upon. The care and arrangement of the supper were left with an Ethiopian expert retained for the occasion and just enough good wine provided to touch everybody off. To avoid confusion everybody's seat was assigned and marked before hand, Carter taking the head & I the foot of the table, while the Lamb was to have his post at the right hand of Mrs. Hopper, the Chief Divinity of the evening. By the time all was ready the party from 29th Street arrived and were warmly welcomed. John & Rosa didn't yet know what to make of it, only something strange was coming to pass. Mr. Hopper's household, the Gibbonses, Wm. & Haven Emerson, Frank Smith, Cutler & the Socialists, with Miss Emma Stimson of Providence who is staying with the Gibbonses, made up the complement of 18. Miss Stim-

son had never seen any of the rites or ceremonials of our church before, but she 'fused' at once. By and by the Bell rang and we went down to supper. The table looked beautiful and at the sight of it John and Rosa were quite overcome. We began very mildly but pretty soon that mysterious spirit which the Quakers talk about, began to move us all, and immediately there was a perfect and universal '*fusion*.' From soup to coffee lasted about two hours and a half, and first and last there was a good deal of fun. I never saw any company quite so happy before, and what delighted us most was to see the perfect effect which our good intentions had on Mr. and Mrs. Hopper. Mrs. Gibbons, too, was in her glory, and Mr. Gibbons and Aunt Susan, who have hitherto been disposed to shrug their shoulders at Christian Socialism, fairly knocked under. Mrs. De Wolf was almost crazy she was so happy. Within three weeks she has had two grandsons born and her son William Henry, 'Our Bill,' who has been on a voyage round the world, got home in the interval and was by her side. Letters and telegrams were received from foreign friends of 'the order,' which manifested a proper sympathy in the occasion, and showed that the name and knowledge of the first-and-last-born member of the sect has already reached from shore to shore. To crown all 'the little expounder' himself was brought down by his nurse, and passed round in the arms of his mother. He kept his eyes wide open, behaved splendidly throughout, and expressed the utmost satisfaction with the prospect before him. Then Mr. Cutler recited an ode which he had prepared. 'Old Lang Syne' closed all, and the company separated; that is to say, those who still occupy the anxious benches were dismissed with strong hope of promotion by and by, while we who have attained and filled

the front seats, remained and held a secret session with closed doors. First, however, by a particular & special act of grace, the seal was set forever upon the most perfect union among us of which humanity admits.

"Now wasn't this an excellent way to celebrate and acknowledge this last dispensation of a kind Providence? And may we not point with pride to the result? Why, only two years ago, our famous founder could lay his hands upon his heart and say 'Among thirty millions I am the only Christian Socialist in America' and now behold to what we have come! Christian Socialism had its origin, like all great reforms that have been called for and have come, in the weaknesses and vices of mankind, I may say, in the greatest weakness and the *greatest* vice which mankind has known, for I think that nothing in that line can possibly go ahead of 'our Shepherd' in his best estate. But if we go on as we have begun the time is at hand when vice and weakness will no more be known, and the principles we cherish will have fulfilled their perfect work.

J. H. C."

The following announcement marks an important step in the progress of an aspiring young lawyer, the details of which have been narrated in Mr. Choate's "Boyhood and Youth":

"OFFICE OF CHOATE & BARNES
"No. 62 Wall Street

"New York, August 2, 1858.

"Dear Sir,

"We have formed a partnership for the practice of Law, and hereby respectfully inform you that on and

after September 1st, 1858, we shall be happy to attend to any business in the various branches of the profession which you may be pleased to entrust to us.

Very Truly Yours,
JOSEPH H. CHOATE,
WILLIAM H. L. BARNES."

The new office opened on September 1, and Joseph writes his sister (September 6):

"DEAR LIZZIE,

"I can hardly convey to you an idea of the delightful sensation arising from being my own master here in my own office. Over the other side of the way I undoubtedly enjoyed great advantages for some time, but toward the end the kind of villenage to which I was necessarily subject grew very irksome. I now begin to realize the experience of our fathers after their great and famous declaration of independence."

To his mother he writes, September 13: "You will be glad to know that this firm of ours feels greatly encouraged by its first week's experience & business. We have done something already, at any rate enough to pay our first quarter's rent. Mr. Barnes is all that can be desired as you will all say when you come to know him, and I mean you shall soon do so. * * *"

The firm was still prospering a month later when he wrote to his sister:

"DEAR LIZZIE,

"The firm of Choate & Barnes continues to flourish in a small way; that is to say, after the manner of all

beginners. In process of time we shall doubtless gather an excellent business. I want you all to know and like my partner, who upon closer acquaintance develops gloriously. We have been living together for about a month in Ninth Street, and like Codling & Short who took such good care of little Nell and her grandfather, 'we are partners in everything.' In fact Codling & Short is between ourselves only another name for Choate & Barnes. We are not busy all the time, but believe that we are making money faster than we have ever done before, and so we are content to bide our time. * * *

J. H. C."

It had gone on into the new year when he wrote to his mother (January 4, 1859): "On Thursday night my friend Mr. Butler retired from the Bar at a dinner at the Astor House given him by his old partners, Mr. Evarts & Southmayd. Nobody had ever heard before of a lawyer making a fortune and retiring at the age of 40, and certainly the dinner was as unique as the occasion. Sixteen of us sat down at six o'clock and when I tell you that we sat till one in the morning you can imagine that we had a good time."

He was still the senior member of Choate & Barnes when he wrote her, on January 25:

"Yesterday was my birthday which I celebrated by going to Quaker Meeting to hear Lucretia Mott, who is, you know, a chief speaker among the friends. She certainly held forth in a very modest and powerful manner, and remembering where we were, it was quite pleasant to hear her. We were also exhorted by a venerable sister

named Katy Brown who has reached the advanced age of 95 years. Time had treated her vocal organs in a most shocking manner, but as it was clearly a manifestation of the spirit, we were of course spell-bound. I kept on my hat during a considerable part of the services, and as it was a new one, was not ashamed when among the Quakers to do as they do. * * *"

"Dear Carrie," he wrote to his sister, on March 7: "You will be interested to know that your friend Mr. Hopper has bought a new house. And where do you think? In Forty-Third Street between Broadway and Sixth Avenue, which is just above the Croton Reservoir. His friends will bid him a last farewell before the 1st of May, which is the time appointed for him to take the young Hopper and his mother and flee into that far country."

Still the firm of Choate & Barnes held on, but the shadow of dissolution now falls on it, as he discloses to his mother on March 21:

"I dined yesterday with Mr. Hopper and took tea with Mrs. Evarts. My fates seem to be inevitably leading me back to No. 2 Hanover Street, or at any rate they will not keep quiet while I am anywhere else. Mr. E. is again urging a connection upon the basis of a fair share in the present business and a sure prospect of the regular succession. An established law office in New York is like a mercantile establishment anywhere offering a sure reward to any one who gets into it. Besides Messrs. E. & S.'s office is almost by general consent the best one in the city, and its prospects are wonderfully good. Under

all the circumstances you must not be surprised to hear of my having determined upon a speedy change in business. My only embarrassment arises from the absence of Mr. Barnes (in Europe) who however writes me that he will speedily return. I wish that Father would give me his advice in the matter."

"62 Wall St.
"New York, March 25, 1859

"My Dear Father:

"The fact is that I haven't gone so far as to talk about terms with Mr. E. except that we start upon the understanding that those shall be satisfactory to both of us. In short I should be perfectly content to leave all that to Mr. E. & Mr. S. who will not attempt a hard bargain. They desire a connexion, more on their own account than on mine, and will expect to pay for it. The least that they will offer will probably be better than the best I can expect from my present arrangement for some time to come, while the ultimate gain is unquestionable. As they both say, it is not probable that either of them will continue in full practice ten years longer. The part of the business they would like me to undertake is that which best suits my tastes and capacities.

"Our business has been good for new beginners, but the sources of it are few and, I think, precarious and I have the satisfaction of knowing that in case of my desertion Mr. Barnes will retain it all, as it comes chiefly from common friends, upon whom however he has a more intimate hold than I. My chief hesitation arises from the fact that Mr. B. will be sadly disappointed and because he particularly needs some sedate partner like myself. (There, I guess you never expected to hear me boast of sedateness to the father of three such other sons.

But strange as it may appear, I have got quite a name for that quality, which illustrates the rule that a man never gets credit for all that belongs to him until he quits his own country.) Mr. B. certainly does need somebody to act as a balance, or a drag on his extraordinary motive power. But he has a brother in Albany who is just about to commence practising law here, who will serve well in that capacity.

"On the whole, then, I have pretty nearly concluded, unless you can present some strong argument against it, to enter upon the way to fortune which seems now to open before me.

With much love
I am ever yours
J. H. C."

He writes to his mother, still from the office of Choate & Barnes, on May 3: "* * * Great regret is felt here at the death of Nicholas Hill in Albany by far the greatest lawyer in the State. He actually worked himself to death. He never did anything but work." But on August 1 he dates from the office of Evarts, Southmayd & Choate a letter in which he says to her: "* * * I never feel my loneliness here in New York so much as on returning from home in summer time. There is nobody here, and very little to do, so that I have a fine chance to relapse into the blues and homesickness.

J. H. C."

Fragments of other letters follow:

"New York, 3 October 1859.

"Dear Mother,

"Yesterday I travelled to Jersey City to hear Henry Brown my classmate. Dr. Bellows pronounces him to

be a 'very sweet' person. I liked him very much indeed. Tomorrow I am going to a clerical dinner to meet the Revs. Bellows & Frothingham, so you see that if I don't get to be spiritually-minded it will be no fault of mine.

J. H. C."

"DEAR MOTHER, * * * "New York, 21 May 1860.

"Mr. Evarts has not yet got home from the West, but I expect him daily to appear very much crestfallen. He was so entirely devoted to Seward's success that the nomination in which the convention resulted will hardly satisfy him.

Yours—J. H. C."

The nomination, of course, was that of Lincoln.

"DEAR MOTHER, "New York, 11 June 1860.

"We are all on tiptoe just now to see the Japanese, and after them the *Great Eastern*, and after her, the Prince of Wales, all which entertainments are promised us for the summer.

J. H. C."

"DEAR FATHER, * * * "New York, Dec. 31st, 1860.

"I want very much to have a first rate photograph of my father, and as he seems to have some very persistent scruples against submitting to the operation, I want to enlist your aid in my behalf. I think you have a good deal of influence with him, and if you represent the matter to him in its true light, I think you will readily overcome all his objections. He has you know, now, a large number of descendants in two generations, and is likely to have

many more, and they demand some worthy memorial of him. They are as you must have observed, although they are not a demonstrative race, very fond of him and very proud of him, and whether rightly or wrongly they are particularly proud of his good looks. Well, as matters now stand if anything should befall him we should be utterly without any fitting counterfeit of his honored form and features. The immediate occasion of my mentioning the subject to you is just this, that he is going to Boston every day this winter, and if you will just take him by the arm some fine day and lead him into Whipple's Photograph Establishment in Washington Street, you can get for us what we want, and will win for yourself the renewed gratitude of a family who already owe their all to you.

Yours very truly,

JOSEPH H. CHOATE."

CHAPTER III

MARRIAGE AND THE CIVIL WAR

LINCOLN—FORT SUMTER—WAR—NEW YORK ASTIR—MASSACHUSETTS TROOPS—HIS ENGAGEMENT—MARRIAGE—A WEDDING JOURNEY TO NIAGARA FALLS—STARTING MODESTLY IN MARRIED LIFE—HOUSE-KEEPING IN 21ST STREET—THE DRAFT RIOTS—THE GIBBONSES—SUMMER SEPARATIONS—FAMILY CORRESPONDENCE—MR. EVARTS AS ATTORNEY-GENERAL—DOMESTIC CHORES—AFTER-DINNER SPEECHES—"ALL DETMOLD"

"DEAR MOTHER, * * * "New York, 7 January 1861.

"I have returned this morning from a brief visit to Mr. John Jay at Bedford, about 50 miles away. You may have heard of him as a somewhat noted abolitionist and of his grandfather [first Chief Justice of the Supreme Court of the United States] who bore the same name in the days of the Revolution. He lives upon his grandfather's estate at Bedford, has a very delightful family and is a glorious host. * * *

JOSEPH H. C."

To the Same

"New York, 11 February 1861.

"I think there is a general feeling here that war must come, but I am not prepared to believe anything so bad yet. * * *"

To the Same

"New York, 19 Feby. 1861.

"We are all wide awake today to get sight of '*Old Abe*' who will arrive in town this afternoon. I hope he will

be content to make very short speeches and kiss very few girls while here, for he seems to have damaged himself very much in the general estimation thus far by that sort of proceeding. After his operations at North East, I think he is justified in the remark he has made so often that probably no president since Washington has been called on to do the things which he is now doing, or found himself exactly in his situation.

"Mr. Evarts has already become reconciled to his unexpected defeat, and confesses that he is far better off, as certainly all the rest of us are today than if he had been elected Senator. J. H. C."

To the Same

"New York, 25 February, 1861.

"We have seen '*Old Abe*' in his progress towards Washington. He looks if anything uglier than ever, having a coarse and stubbed beard over his whole face. But 'handsome is, you know, that handsome does,' and if he realizes half the hopes which we entertain for him, we shall forget how bad looking he is. * * *

J. H. C."

To the Same

"New York, 4 March 1861.

"I think we must all breathe more freely this morning to think that at last the dreadful curse of Buchanan's administration has been removed from us. It is very much like getting rid of an almost hopeless chronic disease. * * *

"We are in the midst of the diphtheria which is certainly no less fearful. Mrs. Evarts has within a month lost by it four of her immediate relations—sister, brother-

in-law, and two nieces; another sister was so sick of it that her life was for a while despaired of, and now her own children are having it in course but in a less malignant form. * * *

"Will you send me by mail my new triennial catalogue which I left at home last summer? I have got nothing but an old one and often have occasion to refer to it.

J. H. C."

To the end of his life Mr. Choate kept the latest catalogue of Harvard graduates within reach.

"New York, 8 April 1861.

"Dear Mother,

"New York is all astir just now in a military way but what is going to happen nobody can guess. Ships of war, well freighted with soldiers and ammunition are being fitted out with great expedition and leaving the harbor, but their destination is kept a profound secret. I think this vigorous preparation tends to relieve people's minds very much and nobody here would be very much distressed to hear of a good sharp skirmish Southward. Mr. Hopper is in great glee and rejoices in these rumors of war as much as if he had not been born a Quaker.

J. H. C."

To the Same

"New York, 15 April 1861.

"The news of the surrender of Fort Sumter has been confirmed this morning and filled us all with the utmost indignation. Nobody believed the story yesterday, it looked so much like a made-up story, and seemed wholly impossible. I don't think that the President will find any difficulty in raising the 75,000 volunteers called for,

so far as I can judge by the spirit manifested by everybody here that is capable of bearing arms, it will be much harder to keep men out of the army than to induce them to join. * * *

J. H. C."

To the Same

"New York, 22 Apl. 1861.

"The war is all that we think or talk of now. A great many of our young men have already gone South in the four regiments that have been mustered, and every one holds himself ready. We that never shouldered a musket but always made light of playing soldier are now at once thrown into the shade. However, we can learn at any rate, and this week I am going to begin drilling so as to know at least how to handle a musket in case of necessity, or an opportunity to do any good with it.

"Massachusetts' praises are on every tongue, and the reception given to her regiments as they marched through New York was a proud one. I am glad to see Salem doing her part so well, and hope she will go on doing.

"The greatest anxiety is felt here for the safety of Washington and the capitol, but in a day or two more it will either be in the hands of the rebels or safely ours.

"One of our clerks has got a commission as First Lieutenant of Zouaves and we are fitting him out with sword, uniform & equipments. Another young man who has been a student with us for a year or two has gone as a Lieutenant of Infantry, so that we are not without our representatives at least in the field. I wish you would send me one of the Boston papers daily while this first excitement continues, for nothing touches our pride

as Massachusetts men so nearly as every word that comes from the Old Bay State.

With much love to all,

Yours ever, J. H. C."

To the Same

"New York, 6 May 1861.

"We have quieted down a little from the red hot excitement of the first two weeks of the war, but the universal determination of everybody to settle the great question now forever is all the more apparent. * * *

J. H. C."

To the Same

"New York, 13 May 1861.

"The weeks fly by with such wonderful rapidity in these exciting times that it really seems but yesterday since I wrote you. The flag seems now to be in a fair way of being supported and redeemed and if we can only win a decided victory in the first battle I shall feel sure of the end. * * *

J. H. C."

To the Same

"New York, 27 May 1861.

"We are having great military movements in New York all the time now, and as Sunday is a day of leisure to everybody it seems to be selected for the greatest parades. Yesterday the funeral of Col. Ellsworth took place and it was very imposing. His death has stirred up the feelings of the firemen and the other 'roughs' among us to a very excited state and has given a great impetus to enlistments here among the classes which are likely to make the best soldiers.

"Dr. Bellows returned yesterday from Washington where he has spent ten days in endeavoring to get a new sanitary board established by Government to look after the welfare of the troops. He devoted the morning to an interesting account of what he had seen at the capitol. * * *

J. H. C."

And now following these vivid splashes of war news, comes a highly important piece of news of another character:

"New York, 5 July 1861.

"Dear Mother,

"Prepare to be taken by surprise. I was not after all so outrageously busy yesterday but that on being released from court at four o'clock I went to Dobbs' Ferry, and taking advantage of the 4th, as a day for making great declarations, declared there my passion for a young woman with whom I have long been in love. Of course I am not just now in a state of mind to give you a plain statement of the case or a just description of my charmer. Her name is *Carrie D. Sterling*. She was born in Connecticut, brought up in Cleveland, Ohio, and has spent the last two winters in New York. She is 23 or 24 years old, has a comely person, and a cultivated mind, and is gifted with many qualities which will I know make her a very precious companion for life. She has seen something of society but is free from its conventionalities. She is destitute of riches present or prospective and will not therefore interfere with my professional advancement which is now very promising.

"I have no fears but that she will commend herself

to you all, and that you will be willing to take her upon her own merits as I have done.

With as much love as ever, I am yours,

J. H. C."

"If you would do a good motherly act now and welcome her as a daughter, by a dainty little epistle to her enclosed in one to me, it will delight us both very much. She will of course be still more delighted should any of you think this event important enough to bring you to New York to see her, but we are both too modest to expect anything so good as that with entire confidence.

"I have been obliged to set down a case for trial on the 15th, and that may prevent my coming home next week but I hope not."

"July, 1861.

"Dear Mother,

"As there is now no probability of my coming home next week I will try to answer some few of the thousand questions which must be uppermost in your mind, although the attempt will be very unsatisfactory. You can have no idea of her without seeing her.

"You ask about her family, but that is something that I know very little about. I should be just as well satisfied with her, whether her family were princes or paupers and have really made but very imperfect inquiries about them. I only know that her father died two years ago in Cleveland, at the age of 63—his name I have forgotten, but will find out. Her grandfather was Elisha Sterling a lawyer of some note in Western Connecticut, his name appears in the Yale College Catalogue I think in 1761. Her father was brought up as a rich man's son without a profession or occupation and

lived and died as a gentleman of leisure, which was of course an unsatisfactory life. Her mother's home is at Cleveland but she is now staying with *her* mother in Illinois. She has no sisters but five brothers, three of whom are settled in Cleveland and two in the State of Tennessee—both of them I believe are rebels. So much for the family; if they have any of her qualities they must be very estimable people.

"And now for my adorable herself. It is impossible to depict her upon paper, and even the photograph refuses to do her justice, for though she is very fair haired and very light complexioned the machine persists always in turning her out as a mulatto. She is the pet of all her friends among whom she not uncommonly goes by the name of '*the Saint*,' and certainly she looks like one. She is tall and rather slightly built, has dark brown eyes, and there is an expression in her face which will if I am not mistaken remind you of our lost Lizzie. She is the most graceful of women. Her self-possession and common sense are remarkable, and she has a force of character and strength of will which few of her sex can boast. Her chief passion before she knew me was art, and for three years almost she has devoted herself to it, with the view of making it her profession. Her teachers who have been among the most noted of our painters agree that her talents in that direction amounted to genius, and it is certain that but for this catastrophe, her career as an artist would not have been obscure. This is what has kept her in New York for the last two winters, which she has passed in the family of my friend Mr. Dunning, where she is regarded in all respects as a daughter and sister. She is a regular attendant at Dr. Bellows' church, though perhaps in her principles and feelings more nearly

a Christian Socialist than a Unitarian. At any rate Mr. Hopper, who is now the acting head of our church insists upon her being received to full communion. Mrs. Hopper, who doesn't know her, said a good thing about her, that she must certainly be a woman of superior intelligence since no ordinary woman would be able to tell whether I was in earnest or not.

"In short '*the Saint*' while she differs in all respects from all other women, is a woman that you will all love for the same reason that I do, because you can't help it. Pure and modest, sincere and unaffected, bright and entertaining—even tempered and amiable as I am, and every bit as proud, the only unfavorable criticism that I have to make about her is that she has taken a very exaggerated view of my merits, from which Time of course will abate much.

"I find that this occasion calls out my friends in unexpected number and earnestness, and you must know far better than I how completely it must change the whole tenor of my life. I agree with you fully as to the worthlessness of a bachelor's life. Mine has been as unsatisfactory to me as it has been 'deplorable' to you.

"Mr. Evarts who has I believe for some time been impatient for me to take such a step, expresses satisfaction now. I thank you with all my heart, my dear mother, for your kind note to my '*Saint*' and hope that Carrie will before long be well enough for you to come on and see her.

J. H. C."

To the Same

"New York, 18 July 1861.

"'The Saint' is in town staying with her Aunt in 23d St. Mr. and Mrs. Carlile were so kind as to call on her

last evening and Mr. Hopper this morning took us to Mr. Page's studio to see the wonderful portraits of himself and Mrs. H. and Willy which Mr. Page has painted. We have also spent an evening at the Gibbonses and I was delighted but not surprised to see how well they took to Miss Sterling. There is so much simple truth and unaffected dignity about her that their Quaker-cut fancies could not but be pleased. Mr. Hopper also manifests a most unbounded enthusiasm on the subject, and seems to think it is the best thing, as I am sure it is the only thing, that I have ever done.

With much love,

J. H. C."

To the Same

"New York, 20 August 1861.

"As to our plans for the future, in these strange times it is not well perhaps to form them far ahead, but we mean to find a house which will be adapted to our modest wants by the 1st of May, and in the meantime to live with Carrie's Aunt Mrs. Carr in 23rd St. who is very urgent to have us do so, and has promised to instruct Carrie in the art of housekeeping whereof she is herself perfect mistress. It is I think an excellent arrangement for a few months. Mrs. C's family consists of herself & husband. Mrs. Sterling will very likely be there a part of the winter, and so we shall be saved from the horrors of boarding on the one hand and the first perils of housekeeping on the other.

"Please write immediately as to our coming.

In haste,

J. H. C."

To Miss Sterling at Salem

"August 27, '61.
Tuesday morning.

" * * * I got here safely at half past four o'clock Monday morning, having passed in the cars the ten longest hours of my life. We came on very well to New Haven, but after that our swift express train was metamorphosed into a milk train, to supply the city market for the coming week, so we had to stop, as it seemed to me at every cow, to take her contribution to the common stream, and once or twice I detected them stopping at—not a cow nor a barn-yard—but at a chain pump, and milking that instead. We could not luxuriate in a supper at the Massasoit House, when we reached Springfield, because it was Sunday night, '*the Sabbath*,' which could not be broken within its sacred walls, so we did the next best thing—but next by a very long remove—and turned into the refreshment saloon, and there drank coffee and eat huckleberry pie, to the great discomfort of our railroad dreams which followed.

"Your visit to Salem is a great delight to me. I am sure that the affections of all those who love me will cling very closely around you. Give me a full account of all the people who come to see you, for I shall take every visit as a compliment to myself, and I can tell you who of them to prize most. If the way should open for you to go and see old Mrs. Fairfield, Mrs. Wadsworth's mother, I hope you will do so; she is very old and cheerless now, and has a right to a good deal of attention. She has always felt a very lively interest in me, and you will be well repaid for any little trouble it may cost you,

by the warmth of the reception she will give you. With Mrs. *Silver*, a bright name for a bright woman, you need not take so much pains. (Carrie will tell you about her). She will of course invite you to come up and take tea, but don't you do it, that is if you don't want to injure your constitution and my peace of mind forever by eating too much. * * *

J. H. C."

To the Same

"New York, 5 Septr. 1861.

"I was in hopes that you wouldn't see that I had been dining and speech-making again to a Massachusetts Regiment, for the fact was that I was dragged into it, and forced upon my feet and my jaws opened when I had nothing under the sun to say. Today another Regiment the 20th, comes through New York and Governor Andrew dines with them at the Barracks. The *Post* of last evening & the morning papers today stated that several 'distinguished citizens of this State' would dine there with him among whom were Commodore Stringham, Governor Morgan, * * * Joseph Choate, & others, so you see that you are going to marry a *great man*—a *distinguished citizen* of a great City & State, and it must afford you unqualified delight. Fortunately I am out of the scrape, having done my duty by paying my respects to the Governor and seen them seated at dinner & thereupon quietly vamoosed. I had as lieve speak as not when I have something to say, but to talk for the sake of talking, of filling a gap, is poor business. * * *

"The visit of old Humphrey Devereux & Mrs. Orne are truly astonishing, and most wonderful of all that they didn't come together. I have hardly seen Mrs.

Orne since I stretched up on a cricket in the pew in church to examine & study the trimmings on her bonnet as she sat in front of me some twenty years ago. I think it's a distinguished honor she has paid you.

J. H. C."

To the Same

"My landlady is in great distress because I told her yesterday that she must take the first opportunity that offers to let my room, and that I should not at any rate remain under her roof many weeks longer. She's a hard woman, exercising an influence over the inmates of her house not unlike that which Mrs. MacStinger used to hold over Capt. Cuttle. I have always managed to keep on the right side of her by paying her bills on the spot, and lending her money whenever she wanted an advance, and then too among the clerical and religious community which has always filled the house, my habit has been to introduce a considerable degree of sacrilegious mirth, refusing always to be serious under any circumstances. The consequence is that in view of my departure, when thrown back upon their own solemncholy, the whole household are already dejected. Miss —— actually went so far as to say that I should be a great loss to her. I hope so, for whatever may be her loss, will be all your gain. When we were first engaged, (it seems really as if we had been always engaged) I used to look upon our marriage as something strange and exciting. But every day more and more I am getting to think of it and long for it as the most natural thing in the world, and as an event that ought to take place at the earliest possible day.

* * *

Jo."

To the Same

"Sept. 10, '61.

"Guess who has been sounding your praises now of all men in the world. You have made a new conquest and a brilliant one. I met in the Park on Saturday a Mrs. Williams, an old acquaintance of mine, who warmly congratulated me on my engagement, and as I was sure she could never have seen you or known anything about you, I took the liberty of asking her what grounds she had for so special a demonstration. She said that *Horace Greeley* passed Sunday week at her house, and kept talking about a Miss Sterling whom he had met at Mrs. Gibbons's, and who was engaged to Mr. Choate, in the highest terms of praise. She wouldn't tell me all he said, because she thought it would aggravate my already excessive vanity, but what she did reveal of his criticism showed that Horace with all his oddity keeps his eyes and ears open, and knows very well the difference between a hawk and a hernshaw. He said exactly what I said, and if you could see my letter to mother about you, you would observe the identity of our ideas—'that Miss Sterling is a woman of wonderful uprightness & truth of character, and that Mr. Choate could lean on her and trust in her under all circumstances, and be sure that his reliance will not be in vain.' And so I shall, my saint, shall I not? And how much stronger and larger and truer I shall be for it. Hurrah then for Horace Greeley & Hurrah for the Saint. * * *

"But I have to write another letter before going to the cars which leave at 4—So farewell—Forget me not, & be sure always that my hopes & prayers, my ambition & prospects, yes, my life itself, now centre upon you alone.

J. H. C."

To the Same

"New York, 11 Sept. 1861.

"By the way, my dear, why wouldn't it be a good plan for you to *seal your letters.* The last one came unsealed, and there were no signs of the gum upon it having been ever moistened. Now I should be very jealous, you may be sure, of having any other eyes than mine peruse its glowing lines of love, and nothing would more test and tempt the virtue of any ordinary clerk than bringing from the Post office a love-letter to me wide open. However, this morning's mail was brought by Mr. Tracy himself, where virtue is incorruptible, as bright as the stars and as deep as the heavens. If he knew my deepest secrets, he never would let anyone, even myself, know it. Still, another time it would be well enough to be sure and seal, lest some prying eyes might revel in its sweet secrets which are not their own. Who knows but that the Postmaster read it aloud to his clerks? I was quite harassed myself the other day by something similar, having written to you, and also a business letter to Dr. Tuckerman of Salem, within the same hour on Saturday. I was haunted afterwards by an apprehension that I had put the right letter into the wrong envelope, and that a somewhat impassioned epistle (if I recollect it) to you, had gone to his address, while some very unintelligible legal statements would greet your eyes on opening your Monday letter, and I am quite relieved to think no such accident happened."

"New York, 7 October 1861.

"Dear Mother,

"I enclose notes for you all from Miss Sterling & hope that none of you will disappoint us.

"I was mortified to find that Dr. Bellows will have to be absent on the 16th attending the Sanitary Commission in Washington. The American Unitarian Ass. also meets on that day in Boston, so that we may be hard up for a minister, but if they all fail us we can fall back on that upright civil functionary Fernando Wood, our worthy Mayor, and it will be a life-long distinction to have been married by him. * * *

J. H. C."

Mr. Choate and Miss Sterling were married in All Souls' Church, New York, on October 16, 1861, by the Rev. Samuel Osgood.

"Cleveland, Ohio, 23 Oct. 1861.

"DEAR MOTHER,

"We reached here last Saturday evening and have just completed our visit to Carrie's friends, among whom we have found a most hearty welcome and generous entertainment. The weather here on Lake Erie is deplorable, but we had two pleasant days to begin with and are content now to submit to this storm of hail, snow and rain which is raging furiously. We passed two nights and nearly two days at Niagara Falls, at the Cataract House on the American side, the only one now open. There was nobody there except some fifteen or twenty bridal couples, quite as fresh as we were in their new relation. Between ourselves we made a great deal of game of them, and criticised them as freely as though we had not had our tails cut off, which they perhaps did or did not discover. I found that homeopathy flourished at Niagara in a most extraordinary way. I had got a splinter in my foot which I couldn't get out and when it

began to get sore I went in search of a doctor. As in duty bound I first exhausted the allopaths who were all away from their offices, and finally as a last resort called on 'Dr. Rice, Homeopathist' for the surgery I needed. He proved a skillful hand and performed a most successful operation. I asked for his bill which I supposed would of course be considerable, and was really shocked when he said that twenty-five cents would be about right. I paid it very promptly and Carrie was lost in pity for the poor doctor whose office was a picture of poverty and whose income came in in 25 ct. pieces —but we heard afterwards that he had more business by far than all the other doctors in the place together, and made heaps of money out of strangers. All which we commend to Dr. Gersdorff, who must be glad to know that his special department of science flourishes so well within the roar of Niagara. As we came along in the cars we met with a good many strange faces and figures who were unconsciously perpetuated in Carrie's sketch book which she brought along with that malicious purpose.

"Carrie never looked half so well or so happy as she does now and I am still in love with her a little bit.

"We leave here tomorrow morning and expect to spend next Sunday in Montreal and in about a week after that will reach New York, when, if not before, I will again write you.

With much love to all,

J. H. C."

"Carrie sends a deal of love all round—and remembers with delight the kindness of all of you on the great occasion."

From Mrs. Choate to Mrs. George Choate

"New York, Nov. 10, 1861.
Sunday Eve.

"My dear Mother,

"I wish you could just look in upon us to-night, into this cheerful pretty room, which is already as homelike as possible. You would see a bright fire in the grate, plenty of pictures & books, gay curtains, soft chairs, a long mirror & a somewhat luxurious couch upon which at this moment is stretched rather a precious burden. He is pretending to be asleep. At any rate he is a picture of comfort worth your while to look upon, so I won't disturb him, but beg some good fairy, if there be such, to transport immediately to this apartment all of your household that you too may behold the picture. How I should enjoy *that* & how the hours would slip away.
* * *

"I need hardly tell you our journey was delightful & that in Cleveland, where we were much taken to task for our short visit, Joe was the subject of the gaze & remark of the united populace—*united* in one particular only, which my modesty forbids me to mention. All through Canada the secessionists & their sympathizers somewhat vexed us with their stupid talk, but when they frankly confessed theirs was a 'cotton sympathy' only, we were soothed. Joe will add something to-morrow, so with much love to you all & a wish to hear from you very soon, believe me,

Your aff. daughter,

Carrie S. Choate."

"New York, 17 Nov. 1861.

"DEAR MOTHER, * * *

"You must by this time have been more than half persuaded from what you have seen yourself that Carrie is a trump and a treasure, but when you come to know, as you will know how watchful and devoted she is to me, how self denying and forgetting and withal how entertaining and sympathetic, you will take her to your heart as a daughter indeed and appreciate and share in my pride and love for her. I don't get over it a bit, but desperate as my case seemed to be before I was married, I find myself getting still more and deeper in love with her every day. In my long experience in New York you know, keeping my eyes pretty wide open too, I have seen and understood almost every description of women, and am well content to match her against the best of them.

"Carrie's first reception day passed off very quietly; she had quite a number but by no means a rush of visitors, more of whom are expected next Thursday. It seems that New York is not quite yet fitted out with winter bonnets and not until those are fully trimmed and mounted will the tide of callers be at the flood. * * *

"Mr. Evarts has been confined to the house for a week past by illness, a cold combined with feverish symptoms, but he is now well and out again. It was a new experience for him, but we all regard it as a very timely warning. He habitually overworks himself. I do not mean in business—that alone he could stand well enough, but he burdens himself so much with public and political affairs, and submits to so many unnecessary cares and bores, that he has no repose or peace whatever, and no man can stand that state of things for years together.

"The capture of Mason & Slidell and the glorious onslaught upon South Carolina have elated the whole world about us and one feels as if he had come into a new country and among a new people in the last few days, everybody is so elated & happy. * * *

J. H. C."

From Mrs. Choate to Mrs. George Choate

"Sunday, Jan. 18, 1862.

* * * * * * * *

"Mrs. Gibbons returned Wednesday eve. leaving Sallie in Philadelphia at her uncle's. She arrived last evening however, greatly improved in appearance, more cheerful & decidedly stouter. She is full of amusing incidents of her stay in Virginia & Washington; takes off Mrs. Lincoln with great effect; talks of Old Abe's boots, which from their condition might be styled 'patent foot ventilators.' * * *

CARRIE S. CHOATE."

To the Same

"New York, 16 Feby. 1862.

"We have no news but the good tidings from the West which will of course reach you before this letter does—that Fort Donelson has fallen, and Floyd, Pillow, Buckner and 10,000 lesser rebels have laid down their arms and surrendered to General Grant. The news reached here since breakfast this morning, although the despatches received last night made the hope of it very certain. This catastrophe must be a death blow to rebellion and coupled with Burnside's advance in the rear of the Manassas army will I hope bring the war to a speedy close.

J. H. C."

From Mrs. Choate to Mrs. George Choate

"March 3d 1862.

* * * * * * * *

"Joe has been very busy the last week in Capt. Millet's case. Of course his whole heart is bent upon clearing him from so serious a charge if possible. There is great interest felt in the case & I heard that his defence on Friday was admirable & excited much comment. The court room was crowded & old judges & lawyers congratulated Joe. I was vexed beyond everything that I could not hear it. Another time Mr. Carter says he will be my friend and assist me in any plan I may propose for hearing my husband's speeches. Oh, my dear Mother I am so proud of him—every day more & more happy in such a glorious, noble, devoted husband. Even you of whom he is so fond (as he is of all his family) can hardly know how lovely he is to his wife, how thoughtful & considerate. I wish I had every gift & virtue for his sake, that I might bless every moment of his life with some new joy.

CARRIE S. CHOATE."

"2 Hanover St., 3 March 1862.

"DEAR MOTHER,

"I have been for a week past in quite a Salem atmosphere, Capt. Millet was indicted for manslaughter and his trial in the U. S. Circuit Court commenced on Thursday. Endicott Peabody, Jno. B. Silsbee, Henry Daland and three others from Salem are in attendance as witnesses. The evidence was closed tonight and the case will go to the jury tomorrow. It is rather a difficult case

to manage, but there is no doubt that the shooting was an accident, and we have strong hopes that Capt. M. will be acquitted. * * *

J. H. C."

To the Same

"New York 21 April '62.

"There is quite a dearth of news here just now. Everybody is in suspense waiting to hear of the terrible battles that seem inevitable at Yorktown and at the West. Very considerable preparations are being made here for the relief of the sick & wounded that must pass through here to New England as the war and the summer advance. The doctors have organized a surgical depot in the Park and the New Englanders here have fitted up a building on Broadway for the relief of disabled soldiers homeward bound. Several of our distinguished surgeons also have gone to Yorktown within a day or two on the summons of the Government. * * *

J. H. C."

To His Wife

"61 East 23rd St. New York.

" * * * I get credit from everybody for my long vacation—all the pale people who have not yet got out of town saluting me with 'How well you look!' 'Why, my stars, I never saw you looking better'; and indeed it is a great thing to get the advantage of people in that way. I find it very pleasant and comfortable here. Mr. Butler goes to Stockbridge tomorrow, and after that I shall be alone for some time. I get up early, take a walk before breakfast, then after getting down town and before going to the office take a swim in the floating bath at the Battery, a very refreshing thing and the best safe-

guard in the world against the heat, then a quiet day in the office and about half past five we come up town and get dinner. Thus far Mr. Butler and I have dined together at Maison Dorée and Delmonico's in 14th St., but after he leaves I intend to dine at home. * * *

J. H. C."

"My dear Wife, * * * "New York, 4 August, 1862.

"Jo. Jackson of Newark, an old friend of mine, who is on General Franklin's Staff, where he has been through eight hard fought battles—all those on the Peninsula—came to see me today. He does not speak in terms of much encouragement. He says that the newspaper stories of the unquestioning devotion of all the soldiers in the army to McClellan are not true, and is the first man I have seen who was in a position that made his opinion worth anything, that did not praise McClellan, as the man for the place and the time. * * *

J. H. C."

To the Same

"New York, 5 August 1862.

"* * * There is a new engagement out yesterday. Think of my agility in gathering gossip—you see it's because I am catering for you. Who now do you suppose it is? Wouldn't you give all your old shoes to know? Well, if you'll be a good girl, and not use your eyes when they feel weak, and not drink strong coffee late at night to keep you awake or tossing about till morning, I'll tell you. Miss Susie Shaw is engaged to Robt. B. Minturn, Jr. and I shd. think it a capital arrangement. On both sides there is a great deal of beauty and excellence and they will make a sensible and attractive couple.

I got that from Julia Gibbons, with whom and her father I spent an hour last night. . Mr. G. thinks still that Fremont is the only General who has shown any 'real *strategic* ability' since the beginning of the war.

"We have the news of the great draft ordered by Mr. Lincoln, and it creates some excitement and not a little squirming, but I don't see that anything can be gained by shirking the responsibility which rests on us all alike, and haven't yet thought much about it. * * *

J. H. C."

To the Same

"New York, 6 August 1862.

" * * * John Hopper is as excitable and spasmodic as ever. He spends four days of the week in New York, and three at Milton. He has lately introduced among his friends a new brand of cigar which in honor of his Pastor of the Church of the Messiah he calls the 'Osgood *Sweeting*.' How would Sammy be scandalized if he should hear of this! He also follows the lead of Garrison & Wendell Phillips in abusing *Old Abe* for inefficiency. He thinks that the coat tail of Andrew Jackson if we could get it would make a better President than Lincoln. But John is at work for the cause with all his might and I have no doubt that his contributions to the war, this year only, direct and indirect will amount to $2500. * * *

J. H. C."

To the Same

"New York, 7 August 1862.

"I cannot tell you how much your constant letters delight me, nor with what yearning the hope of finding them hurries me to the office in the morning. How mar-

vellous it is that I who never cared for anybody but myself before, should now depend so utterly on your every word and thought. * * *

"The disgusting painters are still at work in our back offices—my room however is finished and looks very well. The ceiling, to begin with, so black before, is now white. The walls are a handsome, but by no means invisible green, and the wood work is handsomely grained in oak. We have had the old floor cloth varnished and postponed getting a new carpet till cold weather. Mr. Southmayd, of course, has insisted on having his room fixed differently and made it as mediæval as his pantaloons. We are getting in a lot of new law books, and putting on at least the air of prosperity.

"I have had two professional triumphs this week which you will rejoice in. The Union Club case which went against us the first time and which I spent so much time and pains upon in the spring, has been decided in our favor, and the people whom I have been fighting so hard for the last two years in the Insurance Case, which we have been always expecting to try and never trying, have retained me in a new controversy in which they have embarked, on the strength of the very hard knocks which I have heretofore given them. * * *

J. H. C."

To the Same

"New York, 8 August, 1862.

" * * * During the last few days I have been growing much more hopeful for the country than I have been for a long time. The Government seems at last to have taken hold of the war in the right way and gives us some assurance that there is to be no more child's play. From

all accounts the enemy have now gathered to the field at Richmond their whole fighting force, so that if we can destroy that army, we put an effectual stop to any further general combined resistance. That so much can be accomplished I feel very certain, though it may involve the loss or destruction of quite as many men on our side in doing it. As to the drafting, it is not worth while for us to borrow any trouble from the future on that score or to cry before we are hurt. The Government is certainly entitled to our services and to our lives if need be, and I know that both you and I would bear it with brave hearts, if duty should require me to go in person. But I have no idea that that will happen unless our late disasters are repeated a great many times. I hope you are getting them at Salem out of the slough of despond in which they persist in keeping their heads. Pretty soon we shall have a victory and then all things will shine again,—till then, my dear, let us keep stout hearts and *refuse to see* what so many are grumbling about."

To the Same

"New York, 9 August 1862.

" * * * There has been the most absurd excitement here among certain cowardly people who claim an exemption from the draft, and they have made most foolish endeavors to escape their liability, but gradually the general mind has got used to the idea, and most all who ought to be ready to go if necessary are prepared to stand their chances. * * *

"Mr. Evarts has concluded not to go to Washington at present, so his intervention in behalf of the Doctor's brother will be postponed. * * *

"Trust me ever, darling, for I live only for you, and take no pride in anything but being called your devoted husband—J. H. C."

To the Same

"Monday morning, Aug. 10, 1862.

" * * * At last we are living under a kind of martial law in New York, having at any rate a Provost Marshal who seems by the general orders of Mr. Stanton to be invested with full power to capture anybody and clap him into any prison that may suit his fancy. That of course is not expected to be done but it might be done in strict compliance with the letter of his instructions. * * *

J. H. C."

To the Same

"New York, 18 August 1862.

" * * * I have begun to read Macaulay, having borrowed a beautiful English edition from Mr. Evarts's library, and in the dullness of the next two weeks—'the blank of your absence' as you so happily term it—I expect to find in it great comfort and consolation. I find it already a rich treat and only wonder that in the Macaulay fever which raged so universally when it first came out I was not impelled to read it. But the fact is, it requires great concentration of purpose to take up a work of five large volumes unless one has positively nothing else to do, which has not been the case with me now for many years.

"Tomorrow the new Reservoir in the Central Park is to be opened for use—*one hundred and seven acres of pure Croton* to be let in all at once. There is something

to tell which may well excite the wonder of the provincial people in and about '*Cranford.*' We want to see the great cavity before the sluices are opened, so we are to have an early dinner today at half past five and spend the early evening in a visit there. I understand that a road is already being built all around it by the commissioners of the Park—high enough too to overlook the surface of the water. All for our benefit, my dear, for you can well conceive how much it will add to the pleasure of our future rides and drives in that quarter, which will I hope be perpetual, to have the presence and the refreshing sight and coolness of so vast a lake.

"Further accounts from Mrs. Gibbons report her as being still at Point Lookout, where she has been promoted to a command of really vast proportions, being at the head of more than forty nurses. Among the soldiers she goes by the name sometimes of '*Major-General*' and sometimes of '*Mammy*,' and Sally rejoices indiscriminately in the various titles of '*Sis*'—'*Nuss*'—'*Cook*'—'*My dear*'—'*Lady*'—and '*Woman*'—the last being the only one at which she seems to take offence. They describe the condition of the sick and wounded who arrive there from the Peninsula as shocking in the extreme. They are half starving, full of filth and vermin, almost literally naked, and otherwise desperately off. Government stores of food are scarce and no clothing. She furnished two hundred of them with drawers and shirts, but many are left yet unprovided for and it is no uncommon thing still to see even officers roaming about with no covering but a sheet hung about their necks; truly a shocking state of society. Mr. Gibbons is going to ship some new supplies to her this week, gathered from all who will contribute. I cannot find it in my heart not to send some-

thing, but hardly know what. I think perhaps a box of lemons would carry as much comfort as anything and shall look out for them to-day * * *."

To the Same

"Salem, Mass. 19 August, 1862.

" * * * General Stone has been *unconditionally released* and passed through New York yesterday, a free man, on the way to rejoin the army. His imprisonment will, I am convinced, be the darkest blot—an ineffaceable one—on the history of this administration. He was the victim of lies, perjury and abolitionists. The craftily laid plot for his ruin has at last been foiled, but I hope that vengeance will come upon the authors and abettors in the day of reckoning. I believe him to be as noble and patriotic a spirit as there is on our side in this war —and when the first opportunity offers I shall look for some achievements on his part, which will be worthy of a great soldier. I hope you will let Aunt Mary know that our prophecies have thus far come true—and that if she will only wait long enough she will be a thorough convert to our side on this question. I should think that his release in this way would shake the confidence of our friends in Sumner and Wilson, whose wretched and wicked contrivances were probably the cause of the mischief which has been done.*

* "The famous case of General C. P. Stone, under whom, on October 22, 1861, was fought the disastrous battle of Ball's Bluff, has been a permanent basis for attacking Stanton. Immediately after that engagement men in the command wrote to John A. Andrew, governor of Massachusetts, that Stone was in the habit of returning escaped slaves to their masters, forwarding Confederate mail, and associating with secessionists. Andrew replied that Stone's orders in respect to such matters should not be obeyed; Stone wrote to the adjutant-general protesting against State interference; the adjutant-general transmitted the protest to Andrew; Andrew forwarded it to Senator Charles Sumner; Sumner denounced

"We went last night to see the great reservoir before the letting in of the water. It is said to be the greatest piece of masonry in the country—today it will be opened with appropriate ceremony."

To the Same

"New York, 21 Augt. 1862.

" * * * I have another doleful letter this morning from your mother. She seems not content with the gloomy views which surround her at Cleveland, and anxious to borrow some new anxiety about us in New York. In fact she writes expressly to ask what I shall do if I am drafted. I shall try and write her in a reviving strain tonight or in a day or two. She says that Alf has

Stone on the floor of the Senate; Stone wrote a letter to Sumner intended to bring on a duel, and Sumner turned the letter over to Cameron, then secretary of war.

"Out of the discussion thus precipitated grew the famous Committee on the Conduct of the War, headed by the resolute and fearless Benjamin F. Wade, who at once began to take testimony concerning the case. A prima facie basis for court-martial proceedings was established, and Stanton, who had just succeeded Cameron as secretary of war, ordered General McClellan to cause Stone's arrest and imprisonment on the record and report presented.

"In addition to written testimony and evidence, the advice of the Committee on the Conduct of the War and the demands of Governor Andrew, which he could not disregard, Stanton possessed sources of information not open to others. A sister of two of the mulatto slaves returned by Stone was a servant in the home of Adjutant-General Townsend and disclosed that Mrs. Stone was acquainted with or related to the owners of the slaves and with other secessionists in the vicinity, which fact influenced her husband to establish a friendly intercourse with people not loyal to the Government.

"Stone was confined at Fort Lafayette, near New York, during a period of one hundred and eighty-nine days, without trial. He was liberated on August 16, by the operation of the act of July 17, 1862. A year or more later he resigned his commission and entered the service of the Khedive of Egypt to become Stone Pasha.

"As to holding Stone in long imprisonment without trial, Stanton himself declared: 'To hold one commander in prison untried is less harmful in times of great national distress than to withdraw several good officers from active battlefields to give him a trial. Individuals are nothing; we are contributing thousands of them to save the Union, and General Stone in Fort Lafayette is doing his share in that direction.' "—*From F. A. Flower's "Life of Stanton."*

about made up his mind to enlist, and of course she pictures him returning at no distant day from the battlefield a torn & mangled victim of war, with no father's house to receive and shelter him. I hope, my dear, that we shall never get into such a valley of shadows as her life seems to have led her into. Now, I think that Alfred certainly ought to enlist and to go as a private if he cannot get a commission. Were I in his position at his age I should not hesitate, as I think really that this war is the only business open to a young man so placed; at any rate the only thing worthy of his attention and his exertions. When I write to your mother shall I not tell her so, and shall I not offer to do anything for him in the way of money that may be required for his outfit? It would give me great delight to do so, if you think it the right thing. We are going to deny ourselves in some degree, you know, this winter for the war, and why not aid him if he is disposed to go, and requires it? * * *

J. H. C."

To the Same

"New York, 22 August 1862.

" * * * There is now a strong probability that there will be no draft in New York—in the City I mean—and still less of any such thing in the rural districts of the State, where hitherto recruiting has proceeded more briskly than here. Mr. Carr tells me that only about 9500 men are now wanted to complete both quotas due from New York City under the two calls of the President, and to supply this men are enlisting here at the rate of more than 1000 per week. It will take five or six weeks to perfect the arrangements for a draft, and by that time it is probable that the quotas will be so nearly filled that

the work will be finished more satisfactorily without a draft than with it. * * *

J. H. C."

To the Same

"New York, 23 August, 1862.

" * * * Do you see that Shepherd Hurlbert has turned up again—a lion this time—having just escaped from a year's captivity in Richmond and other parts of Secessia. He is certainly a man of the most varied fortunes. How he could have lived so long away from the dissipations and indulgences of metropolitan life I do not understand.

"We had quite a biblical investigation at our house the other evening. Your mother wrote that she distrusted our Generals, and feared that we had more Achans than Gideons in our ranks. A depth of scriptural learning was here involved that was quite beyond me, who never had heard of Achan. I appealed to Mrs. Carr, but she was quite as ignorant, and of course her husband couldn't be expected to know, so we got out the big family Bible and Cruden's concordance and went through the Book of Joshua until we had the fate of Achan all by heart. I now feel prepared to write an answer to your good mother's letter, as I was not before, for it would hardly do to confess to her that I knew not Achan, or any other of those disreputable characters who proved such stumbling blocks in the way of the 'chosen people.' "

To the Same

"New York, 26 August, 1862.

" * * * Mr. Carr has been of late very busy, the work of paying the Government bounties to recruits having fallen upon him. You can imagine how active

it has made him, for he has within the month paid $93,000 in sums of $25, $4 and $2 to upwards of 3000 soldiers. He describes the class of men who are enlisting as of the best possible material for an army—muscular, intelligent and spirited."

To the Same

"New York, 27 Augt. 1862.

" * * * There is a strange report in town today to the effect that Genl. McDowell has been shot—assassinated by Genl. Sigel—an unexplained mystery which, I hope, will end like most of the sensatious items in the newspapers in nothing.

"Last night I strolled up to the Gibbonses' after dinner. Lucy is now at home, and Julia at Milton with her Aunt Rosa. There was a young lady from Connecticut there by the name of Corlies who had two brothers in the 5th Connecticut Regt. (Will Coggswell's) one of whom fell at the Battle of Cedar Mountain with ten bullets in his body, and the other is in Bedloe's Island Hospital, dying of consumption brought on by exposure in the ranks. Julia and Emily Gardner had found him in their visits to the hospital, in sad plight, but his greatest distress was that his sister was in Connecticut, and unable to come to him, because neither she nor he had the means for the journey. So what should those glorious girls do but each put five of their hard earned dollars together and send it to the sister with an invitation to come down and stay at the Gibbonses' and visit her brother as much as the regulations would admit. Considering that neither of those girls is very rich, I think that this one act deserves to be told to their everlasting honor. * * *

J. H. C."

To the Same

"New York, 28 Augt. 1862.

"Yesterday was a blue day, darling, because it brought not a word from you. I feared all sorts of things about you—you were sick—you had caught cold—or perhaps you had gone off on some expedition which would prevent my hearing from you for a day or two. I knew you wouldn't forget to write, and as no letter came in the morning I said, oh dear, but it will come this afternoon. So in the afternoon, I went in person to the post office—there was nothing in the box, but four steamers had arrived and the mails were not all distributed, and I stood watching No. 621, and the clerk putting in the letters with all the boxes around, expecting every minute that your dear little messenger would come pop into its place. The hand went very near it many times, but though it carried letters to all the neighbors, No. 620 & 622 & many other boxes above & below—still what I wanted did not come and the plaguey box remained empty. This morning, however, on my coming I found them both, and I can assure you that I feasted my hungry eyes and greedy heart upon them. * * *

"We had a pleasant dinner at Mr. Harry Sedgwick's last night, notwithstanding the heat. You know, however, my aversion to these 'gentlemen's' dinner parties. I never can learn to enjoy them. * * *

J. H. C."

To the Same

"New York, 29 August 1862.

" * * * There is the worst news from the army in town this afternoon, and as it is not in the papers I will tell you about it. It seems that a large force of the enemy

have got in the rear of General Pope's army, and are between him and Alexandria, occupying some ten miles in extent of the only road by which he gets his supplies. He has made a requisition for 200,000 rations but had received only 100,000 when this manœuvre was accomplished by the enemy. The worst of it is said to be that Pope is almost unsupported, having with him only his own army and Genl. Fitz-John Porter's division which numbers about 2000 men. McClellan with 50,000 is at or near Acquia Creek. We must therefore be ready to hear at once of a fresh disaster to our arms, if this news be true. I have it from Mr. Marble, the Editor of the *World*, who says there is no doubt about it & showed me a despatch from Mr. Blair at Washington in cypher which he translated to me, and which authenticated the report. I begin to lose confidence in everybody. All our generals together—within 100 miles of each other, & with the finest army in the world, or that ever was in the world, at their disposal, and yet we have to submit to these shameful disasters. * * *

J. H. C."

To the Same

"New York, Sunday morning.
Aug. 29.

"I am determined that my darling shall have a letter from me tomorrow and if possible to hear from her today, and as I believe the post office will be open for an hour at noon I shall run down in the cars after writing this and see what there is there for me in Box 621. * * *

"When I think, my saint, of the misery and desolation that these dreadful times are bringing and are yet to bring upon almost every family about us, and how perfect our happiness is through it all, increasing daily as

our love for each other waxes more and more, my heart overflows with gratitude and yet I know not but we ought almost to reproach ourselves for such unalloyed joy. I think at any rate that in the future we must make an effort to do something more for the cause than we have yet thought to do, and in some way or other sacrifice a little of our abundance to the great cause to which we are as sincerely devoted as the warmest patriots about us. Perhaps, when you come back to New York you will be able to find some poor family who have given their father or only support to the war. There must be hundreds of such about us, and would you not rejoice to take them in charge, as we very well can, and so do as much to promote our own happiness as theirs. We must struggle against selfishness in our great love, and don't you think it does tend slightly that way? * * *

J. H. C."

"New York, 3 Mch. 1863.

"Dear Mother,

"I have your welcome letter of yesterday. We had heard of Hattie Hodges' engagement from Mrs. Silsbee who went with us to Niblo's Saturday evening. I believe she returns today, the period for which they engaged their rooms having expired, and no others can be got for love or money. New York was never so crowded as now, I think.

"We have a house—the same one we were talking of when at Salem, No. 93 W. 21st Street between 6th & 7th Avenues. I have leased it for five years at $700, so you see we are bent upon a permanent settlement at last. It is neither fine nor fashionable, but will be very comfortable and suits our means and prospects very well. I mean if practicable to fit up the back room

JOSEPH HODGES CHOATE.

CAROLINE STERLING CHOATE.

From photographs taken about 1863—two years after their marriage.

on the 2d. floor for Carrie's Studio, and have the middle room opening into it for a library, and we shall, no doubt, find ourselves very snug and happy there. It is a small and modest affair. * * *

"Carrie is well and very busy. She wants to finish one or two more pictures for our house, and as we have laid in all the stock of cotton & linen, table cloths, napkins, counterpanes, blankets, towels, pillows, bolsters, etc., etc., etc., etc., that we can afford, she has a great deal on hand.

"I must run to Court or some pettifogger will take my default.

Your loving son, J. H. C."

To the Same

"New York, 7 April 1863.

" * * * Twenty-three days more and we shall have a home, and though we shall not have much to put in it, not enough to make it a Paradise at the start, we nevertheless look forward to it with joy unspeakable. Anyway, we have a bed, two tables, four chairs and a sofa, a cream pitcher, an asparagus fork, six salt cellars and a rug, and there might be a much meaner stock to begin upon than that, you know. Then we expect to get some plated spoons, some old style steel forks, a brush and dustpan, and before Midsummer I dare say we shall begin to feel at home at No. 93 West 21st Street. * * *

J. H. C."

To the Same

"New York, 15 April, 1863.

" * * * It is almost too kind of you to remember us at this time, and for your kind offer of the spoons & forks we thank you most heartily. Carrie has, I believe, 18 tea spoons and 12 dessert spoons & 6 tablespoons but

not a fork of any description and but for your kind offer we should have contented ourselves at present with plated ones. And you may be sure, therefore, that your contribution will be very welcome. I think our stock of spoons is sufficient except, perhaps, in table spoons and a ladle. We went again this morning and surveyed our house, and like it better and better. It is just the thing we want. We shall not in these times be in a hurry to furnish the whole house—only the dining room, kitchen and our chamber, and carpeting the parlors. That is all we shall provide for before we go in—the rest we shall take our time about. We have already disposed of the worst things, cotton, linen and carpets, all of which you may believe are most atrociously high.

"I am doubly delighted at the prospect of a home this summer, for I don't see much chance of any substantial vacation, and shall therefore need to be very comfortable in town. Mr. Evarts goes to Europe on important business on Saturday & I don't expect to see him before fall.* Mr. Butler has been very sick for a month, and will have to recruit a good deal. Southmayd is absent for the next six weeks in the great Pennsylvania Coal Case, which will probably tire him out so that he will have to take refuge in the country, & Evarts Tracy

* Mr. Sherman Evarts, in his edition of Mr. Evarts's "Arguments and Speeches," says: "In April, 1863, Mr. Evarts was sent by the Government on a private mission to England, in a professional capacity, to prevent the escape of any more vessels built and equipped for the Confederate navy, and also with a view of influencing, as far as possible, the attitude and opinions of the public men of England, in reference to the Civil War. He returned to America in July, but, again, on December 30, 1863, sailed for Europe on a similar errand, which took him to Paris as well as London. He returned in June, 1864."

In "The Education of Henry Adams," Mr. Adams says: "Secretary Seward sent William M. Evarts to London as law counsel, and Henry began an acquaintance with Mr. Evarts that soon became intimate. Evarts was as individual as Weed was impersonal: like most men, he cared little for the game, or how it was played, and much for the stakes, but he played it in a large and liberal way, like Daniel Webster, 'a great advocate employed in politics.'"

is to be married and so *hors de combat.* You see therefore, that my chance is slim.

Ever yours,

J. H. C."

To the Same

"New York, July 14th,

3 P. M.

"Carrie and I had our trunk packed to come to Salem tonight as I wanted to be at Commencement. But suddenly we find ourselves in the midst of a most bloody riot, and we cannot think of leaving until it is over. The accounts in the papers do not tell the half of the brutality of the human beasts who for the moment have control. Yesterday morning when the riot commenced in the 22d. Ward, it was headed by the Alderman of that Ward. There was not a military company in town—all having been sent to Pennsylvania. All night the sky was red with whole blocks burning—and today the violence of the mob increases. Many have been shot, but as yet the effect is hardly perceptible. The military force, however, is gradually increasing—four of our Regiments have been summoned from Harrisburgh and perhaps by midnight they will arrive to the rescue. In our immediate neighborhood in 21st Street, there has been no outbreak, but in addition to our two servants, last night we had four helpless negroes under our roof for shelter—they were being murdered in all parts of the city and no negro out of doors was safe.

"All this is the natural fruits of the doctrines of Seymour, Wood, Vallandigham,* etc.

* Governor Seymour; Fernando Wood, then in Congress; Clement Vallandigham, the vociferous Ohio copperhead, arrested in May, 1863, tried by court martial and presented to the Confederates, who did not want him, so he went to Canada.

"I have no fears but that this mob will soon be quelled though only by slaying them like sheep. Have no fears for us, as we are in no possible danger.

Ever yours,
J. H. C."

"I will write again when there appears to be any change."

To the Same

"New York, 15 July, 1863.

"I think things begin to look better now. Powder and ball are beginning to tell. But the last twenty-four hours have been horrible. Our friends the Gibbonses have lost everything and are at our house. At 5 yesterday afternoon their house was sacked. It was reported that they were Horace Greeley's cousins, and that was cause enough. A warning had been given them and Mr. Gibbons called on the Military Commander and the Police, but both said they had no force to spare. The girls were both at home and were able to remove some sacred memorials of Willie & a few clothes, but everything else, furniture, books, pictures, china, beds, are swept as clean as by a fire. In fact the house was fired but put out by the neighbors, one of whom, a Mr. Wilson, was killed in remonstrating with the crowd. The rioters came headed by two men on horse back who stationed themselves at the gate with sabres drawn—then they broke in doors & windows and threw out everything. A rabble of thieves followed and carried all away. Mr. Gibbons fortunately was out, and so saved his life. Mrs. G. & Sally are still at Pt. Lookout. By the merest accident, I happened to be in that part of the town just before six, on Broadway, and seeing all eyes turned down West 29th St. went down expecting to see trouble in

the negro quarters, between Bway & Lamartine Place. But there was nothing there, and I went on and found the mob just completing the work of destruction. I went in among them, and wrested some books from one thief, but seeing that nothing could be done, went in search of the girls whom I found at Mr. Brown's next door but one. From there they had seen it all. They threw themselves into my arms, almost swooning. I immediately got a carriage, and got them over a dozen adjoining roofs, and in a few minutes we were all safely at our door. Their house itself is not very much injured, but all the sacred associations of a home of 25 yrs. are gone.

"The authorities seem now to be getting the upper hand, but the riot is yet to be suppressed. This morning before breakfast I walked over to the 5th Ave. Hotel, and met a man who had just seen a negro hung by the Irish on the corner of 32d. St. & 6th Avenue.

"There has been nothing like this I think since the French Revolution. The barbarity and extent of the mob you have no idea of. But we shall get the upper hand. Carrie and the girls are very brave, and fear no danger. We are as safe as anybody, and tomorrow I hope will bring you word that peace is restored.

J. H. C."

To the Same

"New York, 16 July, 1863.

"Law and order appear to be getting the upper hand again, although up to day-break there was not much to reassure us. Yesterday afternoon the rioters appeared in our Ward and proceeded to hunt out the negroes. On 7th Avenue within half a dozen blocks of us three negroes

were hung, and after death subjected to most horrible barbarities—but all has since become quiet in that quarter. The cruelty which has for these three days been perpetrated on the blacks is without a parallel in history. The men have been killed, their houses & property destroyed and women and children turned destitute into the streets only to meet there with new horrors. Several of our city regiments have now actually arrived and retribution awaits the rioters. Yesterday the military made free use of their grape and canister and many of the villains fell. The announcement that General Dix has been ordered to take command here has just been made and gives us all great confidence, and the fact that the power is to be transferred from Governor Seymour to him is encouraging. We were in a very bad way at the outset. Mayor Opdyke has no power and no pluck to use it if he had. The military commanders, Wool, Sandford and Brown, are superannuated, and Seymour who kept out of the way the first twenty-four hours appeared on the second day and hailed the rioters as his '*friends*'—as they are—that is the power that elected him, and he knows it and will remember them. He is even now in the hands of the worst politicians of the Irish Democratic school and they will not suffer martial law to be declared which would be the only means of slaughtering the miscreants who have done the mischief. They never will be convicted in our courts, I fear.

"We are all safe and well—notwithstanding the inflammable composition of our basement. I am thankful above all things that I did not leave town, but was here to give a refuge to our good friends and to shelter my share of the unfortunates who would otherwise have fallen victims to the fury of the rioters.

"Lucy & Julia will probably go to Milton tomorrow with their uncle John. Then we shall expect Mrs. Gibbons & Sally, who will return as soon as they hear what has happened—and are to come immediately to our house.

"I trust we shall never have to go through such scenes again, and am quite sure that for the present peace is restored.

Ever your loving son, J. H. C."

To the Same

"New York, 17 July 1863.

"Everything is quiet this morning and the city has generally resumed its ordinary appearance. General Brown has now about 12,000 troops and police under his command and some five thousand more are expected before tomorrow. General Kilpatrick, also, has arrived and is organizing a strong cavalry force. The disturbance yesterday was confined to the East Side of the city but it ended last night in a very desperate conflict in which a large number of rioters were killed & wounded and some thirty taken prisoners.

"We have ceased to feel any apprehensions in our quarter of the town.

Ever yours, J. H. C."

To the Same

"New York, 18 July 1863.

"We are once more at peace in New York, and as the government are concentrating a large military force here, we are not likely to be again disturbed. It has been a bloody week though. I think as many as five

hundred, all told, must have been killed. The negroes have fled in all directions as from a slaughter-house. The woman who has been at our house since Monday with two children, found yesterday that the house she lived in had been sacked and burned, and all her little possessions destroyed or stolen. Walter, our Ellen's brother, who had likewise been with us for the week, found in the same way that his boarding house had been destroyed and his little all with it—under circumstances of infamous barbarity. All the boarders had left the house except the landlord who was old and could only go upon crutches and thought his lameness would be his protection. Trusting too much to that he ventured out on Wednesday, and had not gone far, when the fiends attacked him, jumped upon him, pounded him to death and then hung him to a tree. What is to be done for these helpless victims, I do not know. We shall keep our quota for the present, and do what we can to meet their most urgent wants, but the general distress among them must be very great.

"Julia and Lucy left yesterday for Milton with John Hopper. They received from all quarters the most hearty assurances of sympathy. Mr. G. is still with us, and will remain until Mrs. G. & Sally arrive, when some plans for the immediate future will be considered. Pecuniarily his loss will not be great. The Legislature of New York in 1855 passed a law making the City or the County liable for all property destroyed or injured in consequence of a riot or mob, and I do not think that the authorities of the City or the County will be slow to make just amends for the losses. At any rate if there is any hesitation in the matter we shall sue them.

"Archbishop Hughes has behaved like the Devil dur-

ing all this, and Gov. Seymour not much better. Witness their public acts and proceedings. The only hope for the redemption of this City is for Mr. Lincoln to come to our aid and declare martial law. That alone will displace Seymour. Then by a summary trial the ring leaders of this riot can be punished. By the ordinary courts nothing effective will be done. They are all in the hands of the Irish.

With much love to all, Yours ever, J. H. C."

To Mrs. Abby Hopper Gibbons

"New York, 1 September 1863.

"My dear Mrs. Gibbons:

"A large number of your personal friends, residing everywhere, have placed in my hands the sum of Twenty-seven hundred and fifty Dollars ($2750) with instructions to apply the same to your benefit. I have accordingly deposited it in your name in the Phenix Bank and send you a Bank-book with that amount to your credit.

"The barbarous and cruel destruction of your home with all its dear associations by the recent riot, has aroused the deepest indignation and sympathy of all who in times past have shared its hospitality, and by a universal and spontaneous impulse they have desired to offer you a substantial expression and proof of their friendship. They wish also to bear a testimony to the value of a life devoted to good works, to the relief of the unfortunate and the rescue of the fallen, and to manifest the gratitude which is felt wherever you are known, for that patriotic devotion which has led you to sacrifice everything during the present war to the welfare of the sick and wounded soldiers. And more than all they ask

you to accept this offering as a tribute of the universal admiration of your friends for the fidelity with which you and your family have adhered at all times to every good and worthy cause, and which has in no small measure brought upon your heads this last calamity.

"The parties who thus claim at your hands the full rights of friendship have requested me not to disclose their names, but you will take my assurance that there are none among them from whose hands you would hesitate to receive a kindness or whom, if known, you would fail to recognize as the friends of many years.

"In their name I wish you a speedy revival of your cheerful home and a long and happy life.

Yours very truly,

JOSEPH H. CHOATE."

He writes to his mother on April 4, 1864:

"* * * Tonight I am to speak at the 'grand opening' of the 'Metropolitan Fair,' making on behalf of the ladies the response to General Dix who will present to them the buildings with their contents. I have been preparing my speech yesterday under the special inspiration of a sick headache, but am in very good order for tonight. * * *"

A week later he says to her:

"There is nothing new with us except the Fair which goes on from day to day much more triumphantly than anybody expected. Nobody can tell yet what the result will be for very heavy expenses have yet to be deducted, and immense subscriptions already made have

not been collected. The 'opening' of which I sent you an account in the *Herald* was most brilliant and my own part in it appears to have been generally approved. * * *"

On the same subject he says on the 9th of May:

" * * * The accounts of the Fair have not yet been footed up, but it now seems pretty certain that the net proceeds will not fall much if any below a million and a quarter. * * *"

The purpose of the Metropolitan Fair was to raise money for the Sanitary Commission, the great war-relief organization of the Civil War. Its president and chief promoter was the Reverend Henry W. Bellows, of whom Mr. Choate speaks in "Boyhood and Youth" as "my first, last, and only pastor." Of the Sanitary Fairs, Mr. Rhodes says in his "History": "Beginning in Chicago in the autumn of 1863, then extending to Boston and many other cities, they reached their acme in the Metropolitan Fair of New York City and the Grand Central Fair of Philadelphia, each of which made for the Sanitary Commission over a million dollars."

"Salem, 19 July 1864.

"My dear Wife

"I had no sooner got home than I received a telegram from Mr. Carter, dated today, containing the shocking announcement that our dear friend John Hopper died yesterday at Milton—no particulars. I am now trying to find out when and where he is to be buried, and if it should appear that I can be of any service I shall return

to you at once by way of New York, instead of going to Cambridge. It seems impossible to associate death with him.

Your loving husband, J. H. C."

"12 August 1864.

"DEAR MOTHER,

"You will be mortified, I suppose, to know that the McClellan meeting here on Wednesday evening was really the largest public gathering ever assembled in New York. He seems to be the greatest favorite of the day. But for all that I don't believe he will get the nomination at Chicago. * * *

J H C"

To the Same

"24 Sept. 1864.

"I have informed you by telegram that we have a son. The interesting event took place this morning at a quarter before six. He is a fine, large boy, weighs ten pounds, sound in wind and limb, all right in all his pipes, and already indulges in the various sports peculiar to his age. * * *

J. H. C."

To the Same

"New York, 29 Sept. 1864.

"Everything still goes well. The little fellow has now a name of his own, and is to be called 'Ruluff' in honor of his great, great grandfather, Mrs. Sterling's father's father an honest old Dutch farmer, Ruluff Dutcher, who lived and died at Dutchers Bridge on the Housatonic River.

"*Ruluff Choate*—I hope you will all like it, and think you will after repeating it a little.* * *

J. H. C."

The war was coming to an end. He writes his mother on March 31, 1865:

" * * * We have just heard the rumor of a great fight now going on between Grant & Lee. Surely, it must be the last. * * *"

It *was* the last. Lee surrendered on the 9th of April. President Lincoln was shot on April 14, and died the next day. On April 20 Mr. Choate writes his mother:

"We have of course done nothing and thought of nothing but the dreadful events of Saturday. Business has been entirely suspended and will doubtless so continue until after Monday when the remains of the President are to be brought through New York in State. * * *"

Summer came and Mrs. Choate and the baby went to the country. He says in a letter to her dated "Tuesday Evening":

"Dear Saint,

" * * * I met Minnie Morris in the street to-day—in Wall St. on her way to Brooklyn. She looked very well and said all the family were in very good condition. She sends her love to you and hopes that you will bring 'that baby' to see them as soon as you return to New York. More babies! how marvelously they do multiply. Mr. Joseph Jackson sent me word today that he has a baby two weeks old, but whether his eyes are black or blue or of what sex, religion, or politics, the messenger could not enlighten me. And as if in testimony that this race

of ours is to be perpetual the next man I met was your old friend Earnshaw, who said that he had just got his third, now about three weeks old. Does it not remind you of the second and third chapters in Genesis, in which the biography of the patriarchs for some seventeen hundred years from Adam to the flood is told in the pithy statement as to each man that he lived so many years and begat sons and daughters? * * *"

The war was over but had left reminders. He says in the next letter:

"We have to pay our income taxes this week. It is comfortable to have a comfortable income but this tax of $550 is, I think, a little too heavy. However, I suppose the Government will relieve us as soon as it is right to do so. * * *"

"New York, Monday eveg.

"My dear Saint,

" * * * You will see by tonight's *Post* that our immediate vicinity has been oppressed in all this hot weather by a defunct Bucephalus at the corner. I remonstrated with Mr. Gervaise about it the first thing this morning, and told him that he ought to have cut it up on Saturday, and that his meat would surely spoil in this hot season if he didn't take better care of it. But it didn't seem to have much effect. * * *"

"New York, 10 Augt. 1865.

"I have invited two gentlemen to dinner tomorrow—an enterprising thing, is it not, for a man in my situation? —one classmate, Rev. Mr. Hilliard who has been all

through the Rebellion pastor of an Episcopal Church in North Carolina, and Addison Brown who was an intimate friend of his in college. William is stewing up in the parlor over a hot book. Mr. McJimsey is smoking on the stoop. The cats are raising the devil on the terrace, and I am wiping the dew drops from my brow from the mere labor of holding the pen. * * *"

To His Wife

"New York, Sunday evg.

"Dearest Carrie,

"Every line of every letter of yours assures me that you are all doing well and that is ample consolation for this dreariest of Sundays in town. I do beg of you to make the most of every day and hour, for you know that you have but two or three weeks more now to take in your full freight of health and strength for a long winter's voyage. I am sure that you and Ruluff both will set sail as staunch and strong and seaworthy as it is possible for mother and child to be, and then if we start so fair the breath of Heaven must swell the sail and bring us all safe and sound to reach the distant coast of another summer in good condition.

"I have had a busy and distracting week of it at the office and have had a good many puzzling questions in my head. Perhaps you can answer some of them. Are cockroaches 'perils of the sea' or are they chargeable to the ship? Perhaps a peep under our kitchen sink may help us to answer that. Is Morris Ketcham 'a resident' of New York or Connecticut if he lives half the year in the 5th Ave and the other half on his farm in Connecticut? Perhaps Wallie's keen sense of State boundaries may give you a little light upon this. If Miss

Robinson* should die intestate and (which Heaven forefend) without issue, would her five millions go to her husband as next of kin, or to the descendants of her great grandmother, or who else would have it? If a mere wrongdoer takes your 300 bales of cotton and mixes them with a hundred of his own, how will you proceed at law to repossess yourself of your portion, or can you claim the whole? Is there any way to limit a right of way across the Margarita mountains in California? etc., etc., etc. Perhaps these will be enough for you to solve before I come for your answers.

"The city is utterly deserted except by pestiferous clients, who, it seems to one, never will say die. Even at the club last night there was not a soul except those of the janitor and his boy. * * * I went to report our condition to Dr. Draper and to get his bill, but though in town he was out all the evening. At church not one familiar face except the Sexton's, and he looked gloomy and must feel so, for all his undertaker's trade is gone, with the people seeking health among the lakes and mountains.

"However, my darling, we shall soon be together again. I shall certainly be with you on Saturday evening, and after that the little remnant of the dog-days will slide away with telegraphic speed.

Bless you all

J. H. C."

"My dear Wife, "New York, 15 Augt. '65.

"My journey down was propitious, and we are having a comfortable week of it in New York. Today, how-

* Widely known in later years as Mrs. Hetty Green.

ever, has been as full of general excitement as any I have ever known. At daybreak a policeman was murdered in 17th St. by a gang of burglars between 6th and 7th Aves. while he was rescuing a woman from their cruelties. And down town we were horrified by a most atrocious defalcation, which has thrown Jenkins and his miserable vallainies into the shade. One of the young Ketchams, a member of a very old and rich house among the Bankers has disappeared after forging an immense amount, and has probably involved many innocent ones in ruin. He had everything that wealth and position and great expectations and a nice little family could give him and nobody can divine what can have led him into such rascalities. Then we have news of the actual loss of the cable, which has disappointed everybody. Mr. Tuckerman as you might suppose is full of the gloomiest forebodings. * * *

Ever yours,

J. H. C."

Cyrus Field laid the first Atlantic cable in 1858, and a message was sent through it by Queen Victoria to the President on August 16 of that year. In a fortnight it ceased to work. The next cable laid in 1865 broke and was lost. The next year another was laid successfully, and a message passed on July 29. The lost cable also was recovered in 1866. The *Great Eastern* was used for cable-laying in 1865 and 1866.

"New York, Augt. 31st, '65.

"My dear Saint,

"I got your first letter of the week this morning and it made my whole day delightful. I guess Mr. Warner is right in thinking that you are the object of my ten-

derest worship, for the mere thought of you is always my greatest happiness. As for Ruluff I am sure always that he is safe in your hands, and have no fears that harm can come near him.

"We are altogether comfortable in this dear little home, and with you all back once more I am sure that we shall perfectly revel in happiness. In fact I am looking forward to such a year as we have never passed before. I am quite well, and have found no need to resort to your kindly suggested remedies. * * *

Ever your devoted J. H. C."

To His Wife

"Springfield, Friday Evg.

" * * * I barely escaped meeting Mr. Southmayd here, for he supped at this house on his way to New York today, and will reach home tomorrow, which relieves me of the only source of anxiety I had in being away for a few days in his absence—not that business is just now oppressive, but nobody knows at any time in an office like ours what a day may bring forth to do or to neglect. * * * "

To the Same

"New York. 16 May, 1866.

"I arrived all right at six o'clock this morning after as comfortable a passage as I ever had from Boston. I took a seat in one of the 'English' cars, which, if you come that way with Baby you will find a great improvement, being a square room, fitted up as a parlor with a table in the middle and comfortable seats all around. I had a bridal chamber in the steamboat and a good night's sleep."

To the Same

"New York. 26 May, 1866.

" * * * Mr. Tuckerman and I meet often and condole with each other on the wretchedness of our lot in thus living without wives. We utterly detest it, as Louis Nap. says of the Treaties of 1815."

"New York, 28 July 1866.

"Dear Mother,

" * * * I am happy to hear that the statuette finds so much favor in the house. Mr. Rogers, the artist whose work it is, and who has until lately had a hard time to get along, is now beginning to reap the reward of his talents and industry, and to the delight of his friends is making a good deal of money from that and his other works of the same kind. Being the latest, it is just now at any rate the most admired, for they told me when I ordered it, that I could have any of the others without waiting, but that they had so many orders for that, that it would take a good many days to fill mine.

J. H. C."

To His Wife

"New York. 31 July, 1866.

" * * * What think you of the great news of the Atlantic Cable which Milton brought home? Really it almost appals the mind to think it possible. * * *

"I found Mr. Tracy and Mr. Southmayd a good deal wilted—particularly the former. They will both leave me very speedily. * * * Mr. Southmayd is more in despair than ever about his vacation, what he shall do with it or where he shall go. He expects to have a very miserable time."

"New York, 4 August 1866.

"My dear Saint,

"The regularity of your letters is most admirable, and I cannot thank you too much for bearing me so constantly in mind. * * *

"The city is quite empty and the streets deserted. I noticed as I walked down this morning, that there didn't seem to be half so great a crowd as usual moving downwards. * * *

"A hungry client has just sent me word that he is coming in to see me. So, as the afternoon is coming to a dark and rapid close, I must do the same with my letter.

"Do not fail to write every day. It is the green spot in my desert to find your dear epistle on my table when I reach the office in the morning. * * *

"God bless and keep you, my darling, for I know there is great good in store for us. * * *

J. H. C."

"New York, Thursday eve'g.

"Dear Carrie,

" * * * The President (Johnson) has gone, and New York has relapsed into its usual repose. There is a very funny story in the evening papers of their departure this morning. They took boat at Manhattanville in order to drive through the Park, and Genl. Grant, who was in Mr. Jerome's great 'drag,' insisted on taking the reins himself and four in hand running a race with the President and six, beating him of course. * * *

J. H. C."

"New York, Wednesday eveg.

"Dear Carrie,

"I know you will be pretty disappointed to hear that I am going to Windsor this week instead of coming to

you—but Sir Henry Holland arrived yesterday in the *Scotia* and this morning I received an urgent letter from Mr. Evarts, asking me in the name of the entire family to accompany the old gentleman to Windsor. He also wrote to Sir Henry to the same effect hoping that I would come with him. Mr. Weed brought him to the office this morning, where he sat awhile, in his usual genial mood and asked with much interest about you. * * *

J. H. C."

To His Wife

"New York, Thursday evening.

" * * * Do you not long very much for the time when we shall all be together again and at home? I am sure it will be true happiness, with which no other pleasures can compare—a sweet home, a true wife, a glorious little boy and the promise of a precious little sister to keep him company. All things together we haven't much to complain of in our lot. If we can only bring up our children in the right way, I shall bid farewell to all other ambitions and be well content with that.

"We are laying the foundations of a tremendous lawsuit with Pullen's express. What with the broken bedstead, and the currant jelly which was found on arrival to be fermented, as your mother insists, with too much jolting, poor Pullen will have more than he now dreams of to answer for. When we all get back to town we must demand heavy damages and if he does not respond, we are to sue him and have an interesting trial in the Court on the corner of 22nd Street and 7th Avenue, in which you and Kitty and Ruluff and Gamma are all to appear as witnesses. William is to try the case, and there is to be a full stenographic report of it in all the morning

papers, to terrify wicked expressmen who undertake to transport bedsteads and jelly pots, and to hold them up to a rigid performance of their duty. Perhaps Margie & Emily Tuckerman will be able to give valuable evidence, and I wish you therefore to subpœna them at once, but don't pay them any fees, for fear Pullen should get hold of them and make it out that they were bribed.

"On my way up tonight I stopped in at Hurd & Houghton's and got the books you mentioned and some others, and will hand them to Mr. T. to bring up. Besides 'Dame Duck' and Comical Rhymes, you will find in the package Five Little Pigs, any number of Dogs, Large Letters for Little Folks, the country picture book, Nursery Nonsense, and Rhymes Without Reason; so that if you think there are too many for Ruluff, you can give them to Little Ding or some other child. The screws of the bedstead have been found. * * *

J. H. C."

"New York, 1 October 1866.

"Dear Mother, * * *

"I have been appointed a delegate from our church to the National Unitarian Convention at Syracuse—next week—but cannot think of going. * * * J. H. C."

To the Same

"New York, 28 Jan'y. 1867.

"It is another boy—as much like Ruluff as you could wish to see, and was born this morning at ¼ before 4. * * *

J. H. C."

To the Same

"New York, 18 Feby. 1867.

" * * * Yesterday was so fine that I took Ruluff to the Park, and renewed his acquaintance with the swans and peacocks—his old friends of last year. You will find R. very much improved in all respects and very interesting. The only fault in his character yet developed seems to be that he will take everything that happens as a capital joke, and will never be serious about anything. * * *

J. H. C."

It was Ruluff's father who described himself as the boarder at Mrs. ——'s who "refused to be serious under any circumstances."

To His Mother

"New York, 2 March 1867.

" * * * With father's permission we shall call the little fellow *George*, which we consider of all odds the best name in the family. Unless indeed, you think there are already too many Georges and that one more will create confusion. * * *

J. H. C."

To the Same

"New York, 22 Decr. 1867.

" * * * We have heard Mr. Dickens once, and were most agreeably disappointed. We shall go again, and I hope that you will not let slip an opportunity if you have one to hear and see him. You know I have always been a great lover of his books and perhaps that lends a charm to seeing him. * * *

J. H. C."

To His Wife at Salisbury, Conn.

"New York, Thursday evening.

"This has been one of the vilest days that ever the sun refused to shine upon. Dark, dismal, dreary, depressing, desperate, slow, soft and slimy, wet, mouldy, sticky and any other foul epithets that you might dig out of the Dictionary of Synonyms would fail to do it justice. And I have been in a state of mind exactly suited to the day. Oh, if I could only get hold of Mrs. Safford at this moment, I really believe it would relieve me to tease her a little, or I might even find a modified comfort in probing that wound in Horace's left ventricle which was made by the loss of 'Julia's' tinnetype. Who in the world is 'Julia'? Just follow up that inquiry and see what you can find out against my coming. Unless the skies actually fall, which now seems not improbable, I shall certainly come up on Saturday evening, and the sooner you make your mind up to that the better.

"What do you suppose is the matter with the mail between here and Ore Hill? I have half a mind to write to the Post Master General on the subject. Who knows what a mild and dignified protest from all of us Ore Hillians, setting forth our grievances, might not accomplish. From us staid old people, who can read our old letters over when new ones fail to come, perhaps a remonstrance would have but little effect, but I should like to see a cabinet officer whose stolidity would be proof against dear Jenny's lamentations, at the loss of letters from the aspirants who, I learn, have been getting no answers, or against Horace's secret gnawings of the heart because the promised duplicate of that counterfeit has

miscarried, or even Miss Rose's disappointment at not hearing from one of her many admirers, of whom to be sure I know none but Mr. Gibson, but judging all the rest by him, the loss must put all her philosophy to the test.

"Mr. Tuckerman will I hope come up with me on Saturday. I met him in the street this morning, when his conscience was writhing and wiggling fearfully under the last of Mrs. T's letters upbraiding him for thinking of staying away. I am sure she must wield a sharp pen, for he was very nearly convicted on the spot, and resolved to go, and I trust that my entreaties added to hers and those of his own heart will bring him. It is wretchedly lonely here. Everybody is out of town. William's departure occurring simultaneously with that of Southmayd has well nigh broken my heart. I had a letter from S. this morning chronicling his arrival at Boston, and promising if the fair weather of yesterday continued twenty-four hours more, to reconsider his resolve that life was no longer worth living.

"We must now have done with the boast which we have so often made and heard in this block, that there is no nuisance in the neighborhood. Some wretch in our rear on 22nd St.—whom may the Gods soon discover and destroy!—has moved in with an accordeon, with which from time to time he essays to drown the wailings of our cats; no easy matter, as we alone have them always in the back yard. But he is in a great measure successful, so much so that when he tunes up we all begin to pray for the return of the loudest feline strains.

"Speaking of our back yard—its luxurious growth

would now delight your heart. The whole shed is covered by a magnificent squash vine, which is already stealing along the clothesline with its delicate tendrils, and opening over the whole area its golden petals to kiss the fragrant air. There you see I have written a long letter without a word to say but only this, that I love you, and shall come on Saturday to see you. Ever yours,

J. H. C."

To the Same

"Salem, Sunday A. M. May, 1868.

"I have been not a little homesick since leaving you. For do you know it is nearly four years since I have been away from home without you, except once or twice on business, and I hope it may be the last time. * * *

"I hear nothing of special interest of —— and ——, except that —— is working harder and longer every day than ever, leaving home immediately after breakfast and getting home only at seven or eight in the evening, and this repeated every day in the week. Making haste to be rich, I suppose it is, for who can imagine any other reason for such abuse of one's self and family in one whose comfort is already provided for against every possible contingency. I do trust that whatever other mistakes we may commit, we may never become the victims of ambition or avarice, and throw our lives away in their vain pursuits. * * *

J. H. C."

Repeatedly and still again, through all the years in which the claims of his law practice constrained him to be separated from his family in the summer, there are protestations as above, that he could ill bear the separa-

tion. He always did bear it in so far as he had to, but he never was reconciled to it.

More or less of this summer separation is the common lot of men of business in New York. Only those whose summer homes are near by are able to avoid it altogether. As a rule Mr. Choate's family spent their summers too far out of town for him to reach them except for week-ends, and often he could not do even that. When finally he fixed on Stockbridge as his summer home, and built a house there (in 1886), he had come to such years and such a place in his profession as to be able to get long summer vacations. Stockbridge is five or six hours from New York—pretty far for a week-end journey, but if one can stay there after one gets there and really settle down in the climate and scenery of the Berkshires, of course it is worth while.

There follow detached passages from the letters of an affectionate man getting along as best he can with the trials of the summer separation. Thus he writes his wife on the 9th of June, 1868:

"Will you believe it? Today is the wettest of the season, beginning at an early hour with fierce thunder and lightning and heavy showers, which have followed fast upon each other's heels through the day, and within the last hour it has been black as night and pouring in torrents. Mr. Southmayd is in despair, being satisfied that something is the matter with the Gulf Stream.

"I hope you get on well with the children. I have carried all day in my mind's eye the picture of Ruluff kissing his papa with such an air of business and marching off even before I had departed to resume his sports in the garden."

Three or four days later he says:

"This morning in the cars I met Miles O'Reilly who invited me to dine with him at Delmonico's on Monday evening to meet a most non-descript company, which I am to do."

On the 15th of June he writes:

"I wrote you in such a hurry yesterday that I had hardly time to mail it before the closing, and today am sorry to find myself almost as busy. I would give anything to be with you tomorrow to celebrate your birthday. Do you remember our first celebration of it in 1861? That was a very nice day wasn't it? and how many glorious days have been ours since then. * * *

"I am under the necessity again of writing to you from the midst of a reference, with one eye and ear upon my adversary who is addressing the Court, and the other on my letter. So if the ideas are disjointed you will know how to excuse it."

The next day, his wife's birthday, he writes her:

"I have thought of you very often today, and wished I were with you as I ought to be for the day's sake.

"Our Miles O'Reilly dinner was a most non-descript affair indeed—Gen'l. Hancock, Estee and Kilby Smith, Raymond of the *Times*, Young of the *Tribune*, Hurlbert of the *World*, Dana of the *Sun*, O'Reilly himself being of the *Citizen*, Sam Barlow, Sam Tilden, Judge Pierrepont, etc., etc. On the whole, I have had more charming times, and each such dinner rather increases my aversion to these stag affairs."

The day following he says:

"I am glad that you are doing all you can to enliven father & mother. Keep it up and make it as jolly as possible. June or never is the time for fun. * * *"

To His Wife

"New York, 24 June '68.

" * * * Mr. Evarts, as you see, has consented to accept the Attorney Generalship, and now for some reason or other the nomination hangs fire in the Senate. Had I been in his place, I should have preferred my ease, my practice, and my domestic responsibilities to office under the circumstances, but he thinks that he looks at it from a high point of view, and feels it a matter of duty to accept.

"The Chinese dinner last evening was a success. You would have laughed to see the four illustrious Chinamen. To all appearances they were women, but Osgood who said grace, offered thanks 'that we are all men!' so I suppose we were. He also prayed that they might be brought to Christ, which was at best a doubtful compliment to our Heathen guests. They wore bonnets all the evening shaped like washbowls of generous dimensions with red feathers on top, capes to the middle which might have been of rich stuff but which looked as plain as blue jean, and gowns, without hoops, to the feet. But the light of intellect shone in all their faces. I had the privilege of sitting in silence to the end which I enjoyed not a little. * * *

J. H. C."

The "illustrious Chinamen" that he speaks of were the Commissioners who came with Mr. Anson Burlingame to make treaties with the United States and Europe.

The next day he says in a letter:

" * * * The report from Washington now is that the Senate Committee on Evarts' nomination are waiting till Saturday for Gen'l. Butler to make his report wherein he intends to blacken E. in some way. The Gen'l. is such an unmitigated scoundrel as to be capable of any deviltry in that way, but I think he can do no serious harm."

That he came to be somewhat more tolerant of General Butler will appear later on.

In a letter dated July 9, 1868, he writes himself down as that model domestic character—the busy man who is not above doing the family errands.

"I have fulfilled all your commissions," he tells his wife, "except as to the spade and hoe which I shall look for as I go up tonight. I have also for a great rarity indulged in a few books—new books and yet old ones—which I am sure will give us a great deal of good reading and entertainment before the summer is over.

"Ruly too has not been forgotten as you may believe, for I have got for him a splendid Robinson Crusoe in words of one syllable, 'Hans Andersen's Tales,' and another little book of stories, which I think will strike his vein. * * *

"Evarts, as you see, is to be confirmed as Attorney General. Butler made a ferocious attack upon him in

his report, but was overruled by the good sense of the Committee and the whole of it was struck out.

"Report comes down town that the Democracy has at last, after trying every other candidate who could be thought of, fallen back upon Horatio Seymour for their Standard Bearer. The easiest man of all for us to beat."

To His Wife

"Salem, July 16, 1868.

"That was a hot ride to Boston on Wednesday. * * *

"Our class supper passed off successfully—some of the best fellows being present—though the number did not exceed our own class supper in New York last winter. You will see by the enclosed slip from the *Daily Advertiser* that they elected me one of the vice presidents of the Alumni on Wednesday which is a pleasant and wholly unexpected compliment. * * *

"Father seems brighter than usual. His class celebrated their 50th year since graduating by a supper in Boston, at which out of 22 survivors of the original 80—14 were present, and Gen'l. Oliver, one of the members, came in yesterday and enlivened father by giving him a full acct. of it. * * *

J. H. C."

In a letter to his wife on the 12th of August, he says:

"I hear (Thad) Stevens has at last been taken by the Lord. I think that Andrew Johnson would now breathe a little easier. Butler thrown out of his carriage and badly bruised in Gloucester one day, and Stevens dead the next. It looks as though Providence was going over to his side."

"I am sorry to hear that Ruly has had a sick headache. They can serve him but one good purpose in life, I think, and that is occasionally to remind him of his father. * * *"

Writing (to his wife) on October 9, after his vacation, he says:

"The (Unitarian) convention is over and everybody seems to have enjoyed it but Dr. Bellows, who offended a large part of the Convention by a most indiscreet sermon in the opening and more again by some foolish remarks yesterday which you probably saw reported in today's paper.

"Last evening, finding many of the brethren standing about apparently supperless, I took several home to dinner with me, and so extemporized a dinner party with Bro's. Putnam of Brooklyn, Wells of Quincy, Powers of Danbury, and Hodges of Cambridge. By the aid of an extra dish of meat, for which I made a descent on Torhillon's I got along very well.

"Tonight Mr. Huntington of Salem, whom I met in the street today, is to dine with me at the Union League, and tomorrow I am going to spend Sunday with the Morrises, as I mean to be alone no more, if I can help it. It is making me as blue as indigo. * * *"

There follow from day to day, interspersed with matters relating to his household, such items of personal news as that:

" * * * You will be pleased to know that Mr. Southmayd has got a new and gay suit of clothes, and is looking very spring-like."

To His Wife

"New York, Tuesday eveg. '68.

" * * * I have been to Mr. Laurence's funeral, where there was a very large attendance. There were several clergymen who took part in the exercises and each dwelt with emphasis upon his character as a 'sinner' to my great surprise, for I thought he had led a most blameless life. As it was too late after the funeral to return to the office with any hope of profit I took a turn in the Park and in the vicinity of Jones' Woods. The Park never looked more lovely than now—as verdant as in the spring time, and as it was a most lovely and comfortable afternoon, I found great satisfaction in the walk, especially as it relieved me of all the bad feelings inseparable from an ecclesiastical funeral, which may I for one escape! The idea of holding up one's own father as having had a narrow escape from Hell, to his weeping children is such an outrage that I wonder the world has not long since exterminated all these vile priests, who practise such arts. When will men learn that Death is as natural and as sure a Providence as Birth, and no more to be dreaded or vilified? * * *

J. H. C."

Mrs. Choate, in a letter to her mother-in-law, describes her husband as he appeared in his discharge of what was an annual duty for many years, his offering of discourse at the New England Dinner:

"December, 1868.

"My dear Mother,

" * * * Tuesday eve'g Mother, Miss Atwater and I went down to Delmonico's; there we were joined by

Mrs. Vice-President Colfax & half a dozen other ladies & after having some wine, ices, etc., served to us were ushered amidst 'loud cheers' into the dining room where your son was presiding as President at the annual dinner of the N. Eng. Society. Immediately after we entered the speaking commenced & I wish you could have heard & seen the acclamations & enthusiasm which greeted Joe the moment he arose & which continued every time he opened his mouth to the end of the dinner. I was quite overwhelmed with proud delight & wouldn't have missed the sight for a great deal. He kept them in a constant state of bubbling delight. All the speeches were good & short & it seemed a perfect success. They want him to speak at the Morse dinner which is to be a great affair, but I think he is getting rather tired & has refused. * * *

C. S. C."

Mr. Choate's after-dinner speeches were endless in number, and a good many of them were reported and are of record. It is worth noting that he told very few stories. The great reliance of persons who are not endowed by nature with a special gift for after-dinner discourse is to tell stories, but Mr. Choate was never reduced to that and seldom turned to it. He had other things to say. What he really did was to turn on the current of his remarkable spirit of fellowship and of his humor. He did not need stories except as they illustrated something. He simply gave out of himself and his mind and memory and knowledge, and he always had it to give.

The year '69 began auspiciously for the Choate family. Mr. Choate writes to his mother on January 9:

"You will be pleased to hear that we have now a little daughter born at 3 o'clock this afternoon—a fine large child, and Carrie is very comfortable."

A fortnight later (January 27), he tells her:

" * * * The baby is sound at all points, very fat and good natured, with dark hair and eyes—promising they say to look very much like her papa, and is the most comfortable baby in the world."

By the 3d of June his wife and the children had gone to the country. He says in a letter to her:

" * * * Mr. Evarts has been in Windsor and returned to-day in high glee at the prospect of effecting a purchase of the Baptist Church, which you will remember is so homely a feature in his garden. He talks also of fish ponds, etc., etc., and I fear that he means to turn the scene and the water of Baptism into mere sport for his idle hours."

In other later letters written in the same month are these communications:

(June 5.) "I got no letter from you today, so I take it for granted that you are all very well and very busy. I am too. Today I closed up a case which I have had on hand for eight years and feel an immense sense of relief, and have since been pegging away at another in which the books and papers have accumulated to near half a cord, and which I am determined to finish before the arrival of the hot weather. * * * [The Detmold case, no doubt.]

"Do not fail to present our Josephine at the Baby Show, for I have great confidence in her taking the first prize. * * *"

(June 12.) "Mr. Southmayd continues in his usual health and profane frame of mind. I am going to give him now a copy of my speech but have only faint hopes of his conversion yet. Some great calamity must befall. He must lose his hat, or his teeth, or be compelled to adopt the new style of coats or of boots before he will really turn his thoughts upwards."

(June 21.) "I am all 'Detmold' this week, but expect never to have to hear the name again after I get through this present job. * * *"

CHAPTER IV

IN THE SEVENTIES

A SUMMER IN NEWPORT—ECHOES OF THE FRANCO-PRUSSIAN WAR—RIDGEFIELD—BUYS A HOUSE IN 47TH STREET—THE FIGHT WITH TWEED AND TAMMANY—A WEDDING AT WINDSOR—IMPRESSIONS OF QUEBEC—REVISITS NIAGARA FALLS—RAILROAD SUIT IN RICHMOND—FITZ-JOHN PORTER CASE—VANDERBILT WILL CASE—FIRST TRIP ABROAD—VISITS IN LONDON AND PARIS—WASHINGTON—RICHMOND

He wrote to his mother (January 10, 1870):

"Ruly is studying the Bible with the greatest zeal—and wonders very much at the stories of Adam and of Noah."

So religious instruction was not neglected in the Choate family. But it took its turn with levities, as appears in a letter of Mrs. Choate to her mother-in-law (January 23) in which she says:

"Mary is spending Sunday with us. She is quite absorbed and has to submit—indeed William too—to no end of 'nagging' from Joe. Joe is in such a continual state of exhilaration on the subject that he is quite unmanageable. I wish you could hear him go on."

"Mary" was Miss Mary Atwater, the betrothed of Mr. Choate's brother William.

Mrs. Choate spent that summer in Newport. He writes her (May 24):

"How do the horse and carriage answer? and the coachman? I told Willam that you would see that he was provided with currycomb, brush, and whatever else was needed to keep horse, wagon and harness in order, and you must keep him up to that, and keep all bright and fresh."

So he has set up a horse, carriage, and coachman; and in Newport, all signs of increasing prosperity.

"I don't like to go so long without hearing from you," he writes (May 25). "Here it is four days since I left you and no letter. Remember that I have four times as many reasons for wanting to hear from Newport as you for news from New York."

And the next day he says:

"I got all your letters from the beginning only this morning. I can't make out from them what is the matter with Annie, or what is the cause of her bad behavior. I will go about hunting up a new nurse, although I hardly know how to proceed about it, or how to select one. Perhaps I can advertise and let Susan choose for me. I suppose that Annie was tired out and not feeling well, or she would not have mutinied. I fear that I should often be tempted to do it, if I had her work."

Things of moment happened in that summer of 1870. There are allusions to some of them, mixed in with more

personal matters, in his letters to his wife. He writes her (June 7):

" * * * I got a fair stateroom and had a comfortable journey. Mr. Winthrop Chanler was on board. He lives in the first house on the right as you go down the Bath Road to the Beach. He considers Newport a great place for children—a very important consideration for him, as he has seven, the oldest only seven. * * *"

(June 11.) "Think of Dickens being dead. One can hardly realize that we are to have no more pleasure from his living pen."

(June 13.) "I thought a great deal of you and the children yesterday for we had a glorious day, for a wonder, and I spent a long afternoon in the Park with Joe" [a nephew].

(June 15.) "Well, you have reached a third of your century now, and all I hope is that if I am to live a half century more you may bear me company all the way. You know after these nine years together I could not go a step farther without you. It is too bad we cannot spend this day together, but if you wish to live for the holidays you must next time marry some one else than a lawyer. However, my dear, we will make it all up, after I get through with the labors and distractions of this trying month of June."

(June 20.) "Yesterday I made the most of Central Park. After breakfast Joe & I took the little children up and down 'round the Park in one of the vans and

then took a boat for an hour, which the children considered great fun, and in the evening I strolled up there alone and found it very cooling."

These were the children of his brother, Doctor George Choate, of Pleasantville, New York.

(June 21.) "Last evening I dined with Mr. Burt at the Union Club prior to his departure tomorrow. It was quite a telegraphic company, he being counsel of the submarine [cable]. We had Prof. Morse, Peter Cooper and C. W. Field."

(August 17.) "Will you engage me a state room to New York *Monday night?* There are $1. & $2. rooms. One of the former will do quite as well if there are any to be had."

There are years of life wherein a thrifty person spends strength or foregoes ease to save money, and later there are years in which the same person will spend money to save strength. Mr. Choate at thirty-eight was still in the earlier period.

(August 18.) "They say that the news today looks better for the French, but I have not seen the papers and cannot say. Certainly up to this morning the situation for Napoleon, if not for his people, was looking very desperate indeed. The slaughter on both sides must have been most fearful, and a very dear price to pay even for so good a thing as the overthrow of Napoleon and his gang would be."

(August 25.) "Our dinner last night at Mr. Rhinelander's was successful. S. G. Ward, E. R. Robinson, Mr. Peter Kemble, Dick Hunt and myself made up the party. Hunt was more vehement & boisterous than ever. How would you like to have a house full of such boys as he? * * * "

(August 31.) "Mr. Blodgett writes from Paris that there never was such a time as now and therefore great bargains in works of art. These Germans who by the recent order are being expelled from the city are many of them very wealthy and old inhabitants of Paris, but are compelled to flee, and sacrifice, in order to do so, pretty much all their household goods and Gods—so that many fine pictures, etc., old masters even, that are almost never for sale, change hands for a fifth of their ordinary value. It is a great pity that our Metropolitan Museum is not yet far advanced enough to go into the market."

This was the year (1870) in which the Metropolitan Museum of Art began. Mr. Choate had been a member of the Provisional Committee of 1869 that was appointed to establish it, and was one of its incorporators. His connection with it continued all the rest of his life, and was always active and zealous. He was a member of the Executive Committee of its first Board of Trustees, and was long its first vice-president, continuing in that office after he had declined to accept the presidency of the Museum. "To him, in large degree," wrote his fellow trustees in 1917, "the Museum owes the breadth of its original scope * * * and the form of its relation to the city of New York, which has made it essentially

a public institution, a museum of the people, sustained largely by the people, and administered for the people." For forty-seven years, except the years he was in England, Mr. Choate, in the words of the trustees, "was constant in his watchfulness over the institution which he helped to found, always ready as its wise counsellor, gracious as its spokesman, a true prophet of its future."

The address that he made at the opening of the Museum building on March 30, 1880, was reprinted in the Museum *Bulletin* after his death in 1917.

He sustained very similar relations with the Museum of National History, of which also he was an incorporator, and an attentive officer from the time it began until the end of his life.

(September 17.) "So Mrs. Jay sent you my ode. Well, the best of it is, darling that it was every word true, and is and always will be."

The poem is given in full in "Boyhood and Youth."

(September 28.) "I got your note this morning and was glad to hear that you and Effie were doing so well. What a display of domestic affection we made in the cars as you left Newport, Ruly shouting 'Mama, let me kiss you! Let me kiss you!' and baby crying 'Papa Papa!' The passengers could hardly help laughing—but who cares for that? * * *

"We have heard today of the surrender of Strasburgh, but I could not help feeling a little sorry at the news. The French are being pressed now a little beyond reason, and the sympathy of all but the Germans will soon be fully aroused for them."

(October 14.) "I had an urgent invitation this evening from the Unitarian Conference to preside at its session here next week, but was obliged to decline by reason of pressing engagements. It seems their President being dead and their Vice Presidents all absent, they were at a sore pass for a head, but I am over head and ears in engagements for next week and couldn't help them."

(October 17.) "I have promised to be one of twenty or more to invite Mr. Hughes [the author of "Tom Brown at Rugby"] to dinner."

(October 20.) "Our Hughes dinner last night was very pleasant—the company quite choice for New York, there being only one wretch present out of thirty. Mr. Blodgett was there, having returned from Europe without his family. Mrs. B. has been very ill indeed in Paris, and they only got out of that ill fated city on the 14th, the gates being closed on the 15th."

The siege of Paris by the Germans began September 19, 1870. A second siege, by the troops under Marshal MacMahon, when the Commune held the city, began April 6, 1871, and lasted six weeks.

Mrs. Choate spent the summer of 1871 at Ridgefield, a place more accessible by four or five hours than Newport, so the letters are fewer. Too few they were for Mr. Choate, as appears when he writes to his wife (August 16):

"I don't quite like the idea of our not exchanging daily notes, if nothing more, simply because we expect to meet

once a week. In fact I trust we shall always keep our love to one another as fresh and tender as it was ten years ago, for that is what has made us so happy ever since. I want to hear every day especially about Georgie and the baby, who somehow seem from their tenderness to press a little closer to our hearts than their more robust and hardy brother and sister."

(August 29.) "It is boiling hot here today, and almost too warm for Mr. Astor's dinner to which I am going at six o'clock."

(August 30.) "Mr. Astor's dinner was a small and very pleasant one, being made up of Mr. Von Schlotzen the German Minister, Dr. Vinton, Genl. Baldy Smith, Isaac Bell, S. B. Ruggles, Alex. Hamilton, Wm. Astor & myself. * * * I was glad to meet Genl. Smith, for my last interview with him was in the spring when I had to cross examine him for three or four days together as an adverse witness in an English case. Then, too, he is a good Democrat and he promised to serve as one of our executive committee in the movement to break up the ring. * * *

"The prospects for our meeting on Monday are encouraging and we hear that the enemy are greatly concerned."

A week later (September 5) he says:

"You will be glad to know that my offer of $40,000 for the house No. 50 West 47th Street *has been accepted.* I went over again this morning and liked it better than ever. * * *

"Our meeting last night was a success in every way. I had only to read the resolutions which were well received, but was somewhat embarrassed by the frequent and loud calls for Choate! Choate! from all parts of the house whenever any speaker got through and before the next got on. I was surprised to find myself so popular."

The meeting he speaks of was a glorious incident in what was Mr. Choate's chief labor all through this summer of 1871, when he was one of the most active and diligent combatants in the great fight against Tammany and Tweed. The fight began as a public matter in the bold assaults, of the *Times* and *Harper's Weekly*, on the robbers who had been looting the city treasury. Most of the active, public-spirited men in New York were in it one way or another (Mr. Evarts, of course, among them), and for many, Mr. Choate included, it was an engrossing occupation. The leading lawyers in the battle were Mr. Tilden and Charles O'Conor, but an immense amount of work had to be done, and Mr. Choate was one of the company of able and devoted younger men who did it. This meeting of September 4 was the culmination of a vast deal of previous labor. Mr. Choate seems to have been, though not at all by his own choice, its most conspicuous figure. What he says about it is more than borne out by the story told by Matthew Breen in his "Thirty Years of New York Politics." He says:

"Having analyzed and mastered the damning figures, the *Times* skilfully maintained and nursed its attack throughout the summer; then, when the people were

returning from their vacations, and election time was again approaching, it turned loose its heaviest batteries with a roar that startled the city, by demonstrating irrefutably, that the municipal treasury had been robbed of millions in the most barefaced and reckless fashion! Was it mere assertion? No; for the accusation was accompanied with forceful evidence of its truth. Besides, the *Times* pledged its good faith to the public that it held possession of the proofs that the Treasury had been looted. It gave out, among other figures, that James H. Ingersol, chairmaker, was paid for supplying furniture to the New Court House, $5,750,000. Andrew J. Garvey was paid nearly $3,000,000 for plastering the New Court House; Keyser received $1,250,000 for plumbing work; to J. A. Smith, wholly unknown, was given $750,000. Then the accounts showed that the thieves were humorous rascals, for they had it recorded that there was paid $64,000 to T. C. Cash-man, who had no existence, while Phillipo Donnoruma, a wholly fictitious character, was credited with having received $66,000, and the funny politician who got the money signed the warrant, 'Philip Dummy.' Being interrogated on the subject by a newspaper reporter, Tweed said abruptly: 'Well, what are you going to do about it?'

"The public was astounded at the magnitude and audacity of the frauds. A call for a public meeting was issued for Monday, September 4, 1871, at Cooper Union. The foremost men in the city attended. They occupied seats on the platform, looking dark and determined. The auditorium was packed with merchants and business men, doctors and lawyers, mechanics and clerks. The public intelligence and the public conscience had awakened to the disgrace and the danger of the situa-

tion. They sat silent and sullen, as they watched the great leaders of the movement, who talked in groups, and almost in whispers, on the platform.

"Former Mayor William F. Havemeyer, a proud merchant, was made chairman. His utterances in opening the meeting were calm, but threatening. His manner was what might be expected of a bank president, who had to make to the directors the painful announcement that the bank had been robbed. Judge James Emott, who followed Mr. Havemeyer, analyzed the figures, and then said: 'Gentlemen, there is no denial of these fraudulent payments and there is no fabrication of their amount. Now, what are you going to do with these men?' (A voice, 'Hang them!' This answer brought immense applause from all parts of the house.) 'I tell you, gentlemen,' continued Judge Emott, 'that the world—the world is waiting to see if the men of New York believe in honesty or worship fraud. We must repeal this charter; we must punish the guilty, and recover the money to the city. If the citizens of this great metropolis work in earnest, they cannot be resisted. There is no power like the power of a people armed, aroused, and enkindled with the enthusiasm of a righteous wrath.'

"Then came the appointment of a committee on resolutions, composed of Joseph H. Choate, James Emott, Edward Solomon, Henry Nichol, Reuben W. Hawes, John Foley, and Washington R. Vermilye. While this committee was in session in an adjoining room, Oswald Ottendorfer, editor of the *Staats Zeitung*, and a leader of the German element in New York, delivered a strong, fervid and powerful denunciation of the Tammany thieves. He was followed by Edwards Pierrepont, who insisted that 'the manhood of New York should

assert itself and drive the marauders from the positions they had dishonored.'

"The audience, anxious to hear the stinging rebukes and caustic sarcasm, ofttimes guised in pleasantries, for which Mr. Choate was even then noted, cried 'Choate! Choate!' Mr. Choate, with a scroll of paper in his hand, advanced slowly to the front of the platform. He was then thirty-nine years of age. Seldom has there been seen on a platform such a combination of physical comeliness, mental excellence, and moral stamina, as he presented that evening when he hurled a 'javelin of justice' at the gorgeous and powerful banditti who held possession of the City Treasury.

"'This,' said he (presenting the scroll of paper towards the audience), 'is what *we* are going to do about it!'

"Before Mr. Choate had finished this answer to Tweed's defiant inquiry, the audience broke into a whirlwind of applause, which lasted several minutes."

The resolutions recited that the bonded indebtedness of the city and county had more than doubled in two years and a half, and their acknowledged indebtedness was $83,000,000 more than it was when the present mayor took office; that precise and emphatic charges of fraud in the expenditure of this money, which had been made against the present city and county officials, had been met by them with contempt and evasion; that facts and figures already in sight compelled the conclusion that enormous sums had been stolen; that the public officers charged with these peculations were Tweed, Connolly, and A. Oakey Hall; that the meeting demanded full investigation and exposure of receipts and expenditures for the last two years and a half, and to know who

were on the pay-rolls of the city government, and what they got, and what they did; that to all these ends, and to recover the money the city had lost, any available legal remedy should be used, and the law altered, if necessary, to provide a remedy. Also the meeting resolved to appeal to the next Legislature to repeal the charter and laws passed in 1870, by which the Tweed government perpetuated its power, and citizens were entreated to make the reform of their own city government the controlling issue of the next election; finally that an executive committee of seventy members be appointed by the president of the meeting, whose duty it should be to take such measures as should be necessary to carry out the objects of the meeting.

Two months later, at a mass-meeting at the Cooper Institute on November 3, the committee of seventy, thus provided for, gave account of their stewardship, and Mr. Choate made another speech. To persons who have once been schoolboys it may sound like Cicero announcing the discomfiture of Catiline. A part of it is here quoted from the report in a New York paper the following morning:

"At last, fellow citizens, for the first time in many years, we can once more hold up our heads like men, and declare without any sense of shame that we are citizens of the great and glorious city of New York. Until within the last three months we exhibited to the world a truly humiliating and disgusting spectacle. A city of a million free inhabitants, the metropolis of the continent in every sense of the word, the centre of its wealth, its intelligence and its influence; the seat of its commerce and the starting-point from which all its greatest enter-

prises proceed, had, nevertheless, become, by the apathy of its citizens and their absolute desertion of all their civic duties, the victim and the prey of a gang of political miscreants whose villainies were without a parallel. Every avenue and department of the municipal service fairly reeked with corruption. Robbers sat without disguise at the head of the Department of Public Works, in the City and County Treasury, in the administration of the Central Park, and their hirelings and dependents filled almost every office. From these points of power the band of conspirators exercised a gross and brutal tyranny over the people of the city, more grinding than civilized men had before submitted to. Far worse than 'taxation without representation,' which all history has declared to be sufficient cause for revolution, it was highway robbery under the pretext of taxation, with no pretense of representation whatever, and before we knew it we had been literally plundered of twenty millions of the public money. At last the press, true to its function as the guardian of public liberties, sounded the alarm. The people awoke from their long slumber, assembled in haste for mutual protection, and resolved, as the only remedy for the wrongs they had suffered, to take their own affairs into their own hands. And now two months of vigorous and united action have changed the whole aspect of affairs. The general scorn and contempt which rested upon us has, in all quarters, been changed to sympathy and fraternal encouragement, because we have shown a determination to take care of ourselves, and have resolved, at all hazards, and by whatever means may be necessary, peacefully if we can, but if not, then in some other way, to recover our mutilated liberties and vindicate our civil rights. It is true that we still

wear the shackles, and our necks still show a fearful galling from the collars they have borne so long. But we no longer wear our fetters meekly, and are prepared for the struggle, however desperate, that shall cast them off. We no longer kiss the rod of our oppressors, but now have snatched it from their grasp, and mean henceforward to give blow for blow. We no longer lie still with the bedclothes over our heads, pretending to be asleep, while these burglars are rifling our pockets and our safes, but have raised the hue and cry, and joined in full pursuit, and mean not to let go the chase until we have hunted the scoundrels down. Realizing at last the deadly peril into which the body politic had been plunged by your own shameful neglect, and convinced that it could only be rescued and restored by the removal of the cause of the mischief and the return of all good citizens to the performance of their public duties, you created the Executive Committee to represent and guide you in that great enterprise, to search out and ascertain the full extent of the mischief that had been done, to recover the moneys that had been stolen, to bring to justice the chief criminals, to summon to your aid the legislative and executive powers of the State, to obtain the repeal of the City Charter, to exterminate from office the Ring and all its minions, and finally, in the words of your resolution of September 4, 'To assist, sustain and direct a united effort by the citizens of New York, without reference to party, to obtain a good government, and honest officers to administer it.'

"And it was the fulfilment of this latter duty, so far as it might be accomplished, that was intrusted to the Committee on Elections, whose proceedings your chairman has requested me to report to you. It was obvious at

the outset, in the conduct of this great movement of reform, that you had no idea of confiding your municipal affairs to either of the political parties to the exclusion of the other, and that both alike, so far as their past participation in those affairs was concerned, were the objects of your supreme distrust. You had no choice between a corrupt Democrat and a corrupt Republican, and were perfectly well aware that the Ring of malefactors who had usurped the powers of taxation and government, and were enriching themselves without labor at the public cost, was composed of political prostitutes from both the party organizations, and that they found the real secret of their power in the mutual betrayal of their trusts, and if better chance or greater cunning had given to the base men of one party the lion's share of the spoils, it was only the want of opportunity, and not of evil purpose, that had prevented their associates of the other party from perpetrating just as great iniquities, and carrying off just as much plunder. With a view, therefore, to rally the good men of all parties, and of every creed, color and condition to a united effort for an honest government, your Committee on Elections was composed of an equal number of Democrats and Republicans, and they were instructed to forget their politics, to confer with all organizations, parties, societies and individuals who might desire to co-operate for the common good, and to bring about as nearly as possible a complete union of all citizens upon one reform ticket for all the city and county offices and for the Senate and Assembly. With the State tickets it was wisely concluded that we had nothing whatever to do, since the question of city reform united the support of the honest portion of both the great parties of the State.

To these directions the Committee on Elections have faithfully adhered. They have preferred none because they were Republicans. They have rejected none because they were Democrats. They have counselled with all and closed their doors upon none.

"They claim credit for some forbearance, for much patience and an unfailing purpose to unite the entire opposition to Tammany, and they are happy to announce to you that that purpose has been substantially accomplished, and that with some few exceptions, of which I shall presently speak, a substantial union of the friends of reform will speak with one voice and cast a consolidated vote on Election Day. It was manifest from the first that the movement which you inaugurated at your first meeting had aroused a response as hearty as the call was loud, and that all classes of society were profoundly agitated, and that a general determination pervaded the community to drive out the Ring and put honest men in their places. But there was a total want of organization; there was a countless number of associations, each with a distinct head and under a different name. There were all sorts of Democrats, hailing from all sorts of halls, generally with harmonious and musical names, but not very harmonious spirits. There were Apollo Hall Democrats and Reform Democrats, German Democrats, Independent Democrats and Union Democrats, lukewarm Democrats and Democrats fiery hot, but none, I believe, professedly cold-water Democrats. And even the Republicans were divided. We found that the Republican party of this city had what it was pleased to call 'wings,' and although we Republicans, when gathered in family council, don't allow any criticism from outsiders, yet I in this union meeting, as a Repub-

lican, from the beginning to the end devoted to its general policy and proud of its record, may be permitted to say here that these two wings of the Republican party in this city are the strangest and most uncomfortable pair of pinions with which any political bird was ever encumbered. They will neither fold together, spread together, nor flap together. Each goes in a different direction, and on its own hook, and is more likely to hit the other and make the feathers fly from that than from any common enemy.

"Besides, like the wings of the ostrich, they are very small compared with the general bulk of the bird, and seem designed for no better purpose than to make a great noise and flapping and frighten innocent young persons and young political children; and, as to locomotion and progress, why, a bird with one wing would get along a great deal better. But, nevertheless, out of all this jarring discord and these many associations pulling in different ways, and each having purposes of its own to serve, second only to the great object of reform, and sometimes, I am sorry to say, not quite second to that, substantial harmony has grown at last, and especially in regard to the county ticket, there has been a perfect union. So that for once we can show you all the different kinds of Democrats of whom I have spoken, feeding at the same trough; and as to the Republicans, the lions of the Custom House are actually lying in the same bed with Horace Greeley's lambs.

"And here your Committee on Elections is bound to recognize and acknowledge with gratitude the very great service rendered to the cause of union and reform by a body of citizens assembled in a convention which was, I believe, without a precedent in our political history. The Council of Political Reform, an organization created

some time ago for the purposes indicated by its name, composed of respectable citizens of all parties and organized in every ward of the city, invited a representation of men of every party, creed, nationality, color and class to meet in convention and to nominate a complete list of officers for the ensuing election, and, having called them together, the Council of Reform left them to take their own counsels and action, uninfluenced by any policy or dictation of its own. The Convention so assembled at Chickering Hall embraced every interest in the whole city. There were gathered in harmonious action Democrats and Republicans and men who had never voted with either, Christians and Israelites, Catholics and Protestants, Americans, Germans, Irishmen, Italians and Frenchmen, capitalists and working men, rich men and poor men—all under the one name of citizen, and all in the single interest of reform. They selected, with infinite care and after a broad survey of the whole field a ticket which, with some inconsiderable changes, not only received our approval and endorsement, but that also of the united councils of both branches of Republicans and the Democratic Reform party, and that is the county ticket which we present for your suffrages."

He went on to tell at some length of the committee's nominees and why they chose them. "We commend to your support," he said, "the entire ticket of Assemblymen, from the first district to the twenty-first, who have received our endorsement. We have studied the whole island, from Kingsbridge to the Battery. We have taken counsel from all sides in every district, and with no other object in view than to combine and concentrate the entire strength of the movement upon unexceptionable candidates—have made the selections which have been an-

nounced by the press. We could choose but one in each district, and have doubtless disappointed the others. But now that the choice has been made, if it shall be ratified by you, a new aspect will be put upon the situation in each district. It will henceforth be certain that the Tammany candidates or your candidates must certainly be elected. There is no room in any district for any third man, and if any faction, party or organization in the name of reform shall insist on going to the polls with any other candidate than the one adopted by you, they can only do so in the interest of Tammany Hall. Honest motives will be no excuse—such votes must tell for Tammany and against the people—and we must all labor in our respective Assembly districts to concentrate the whole strength of the movement upon these candidates. Here in the Assembly districts we fight the fatal battle of this war. If we fail to carry this Legislature this city will not be a safe place for honest men to dwell in, the reign of the Ring will be perpetuated, and under the disguise of a city government rapine and plunder will continue to destroy our rights and absorb our property, and life itself will be in peril.

"There is but one subject more to which I am instructed by the Committee on Elections to invoke your attention, but that is so full of fearful peril and iniquity that I fairly shudder to enter upon it. Fellow citizens, you have thoroughly alarmed your wicked enemies in the very heart of their stronghold; they tremble before your righteous wrath; they see the fatal halters dangling very near their necks, and have resolved upon a desperate and wicked resistance. Satisfied that upon a fair vote they will be outnumbered and driven from the field, they have resorted to a most damnable and deadly plot

to circumvent and defeat you. They have determined by a false canvass of the votes to count their candidates in, and so to murder your majorities. To this end the Mayor, in whom the city charter has vested the sole power of appointment, has given to the Ring the whole list of inspectors and poll clerks throughout the city, and with them the exclusive power to count and declare the votes. And he has refused the formal request made to him by the opposition for a recognition of their rights under the law and their share of those appointments. Here, then, is a crime before which all the other villainies of the Ring pale and dwindle. The theft even of twenty millions of dollars is nothing when compared with this high-handed and atrocious blow at the very life of the State:

> "'Who steals my purse steals trash; 't is something, nothing;
> 'T was mine, 't is his, and has been slave to thousands.'

"But this wholesale filching and slaughter of the suffrage is a deadly thrust at the very source and fountain of our liberties. Let not him escape the responsibility of this matchless crime who alone had the power to prevent it and refused to do so. On this one outrage, which involves all the rest, let us appeal to our brethren of the State and the nation to come to the rescue of our liberties and their own, which it alike imperils. But in the meantime what else can we do? Why, by attending to our duties on election day we can watch for and detect the crime, and, perhaps, in a great measure prevent it. It is with a view to this duty that our committee have appealed to you to close all your places of business and to devote the entire day to your duties as citizens. Do you think that those inspectors and poll clerks will dare to cheat you before your very eyes if they see by the numerous presence of courageous citizens at the polls

that you are determined to defend your rights? Depend upon it they will not. But you have everything at stake on that day, and I tell you that there is a great and crying need of the attendance and the services of just such men as compose this audience to aid our committee on election day, to man the polls, to defend the boxes and to watch the counting of the votes. Every substantial and courageous citizen who will volunteer is worth twenty hirelings in such a service. There are enough of you in this hall tonight to defend our rights in every election district and effectually to prevent this meditated massacre of your dearest rights. Will you do it? Will you for once sacrifice business, ease and comfort to save so great a stake? We are in fearful earnest in demanding it, and we exhort you, if you would not have all your great efforts paralyzed and be defrauded of all your votes, to enlist as soldiers for this one day's battle and to enroll your names tomorrow morning at the headquarters of the committee, No. 39 Union Square, to bear your part in this decisive contest."

How the fight was won against the Tweed ring is matter of memorable and familiar history. It was a great fight involving enormous labor and persistent devotion. The ensuing victory had effects that the lapse of half a century has not wiped out.

The next letter relates to certain personal *sequelæ* (as the doctors say) of that great contest:

To His Wife in Ridgefield

"New York, 28 September, '71

"Prepare to poultice! On my arrival, remembering Georgie's parting words, 'Papa, I 'fraid you'll fall down

with those two sore legs,' I placed those offending members in the hands of Dr. Draper. He was very much disgusted as you may imagine, and says they must be poulticed, all of them, for three or four days, and so I expect to come to Ridgefield tomorrow (Friday) night, and stay at least till Monday morning for that purpose. So you must recall all your forgotten lore in that department of physic, and go in for any quantity of ground flaxseed. I think Dr. Draper would have been better satisfied if they had been poulticed while I was with you. In the meantime, he dresses them and amuses himself but not me in cutting out the objectionable portions with his knife.

"I saw Tuckerman yesterday, and you may imagine his joy at hearing we were to be so near neighbors again, and I expect to enjoy it as much as he. I also met Mrs. Delafield, who is not very enthusiastic over their summer at Lenox. Freddy and Hare no sooner got home than they fell sick. The former is quite sick, and they seem to be beginning anew the experience of last winter.

"What a glorious work was done yesterday at Worcester in defeating that miscreant Butler. I trembled at the prospect yesterday.

"I imagine you at the Fair, wondering at the big onions and pumpkins, and hope to hear that Ruly drew a prize.

J. H. C."

The story of these sore legs is legitimately a part of the story of the fight against Tweed. One very hot day in July when Mr. Choate was deep in work on the preliminary strategies of that fight, something went wrong with his admirable machinery and he had a chill. He went home and went to bed and was seized by a violent attack of something like cholera. In the house with

him was a caretaker, a venerable woman by no means equal to the charge of a very sick man. Finding Mr. Choate in a state of collapse, she put hot-water bottles in his bed and went out and consulted the nearest drug clerk and at his suggestion got his doctor. The doctor took proper measures, sent immediately for Mrs. Choate to come down from Ridgefield, and brought his patient through the crisis successfully. But the hot-water bottles had burned his legs, and though their owner soon got around on them again, and must have stood on them to read the resolutions at the meeting on September 4, they kept on being troublesome, with the result described in his letter.

"Court of Appeals,
Wednesday noon.
About 1872

"My dear Ruly:

"As I shall not get home to see you until Friday night, I send you four little stories to pacify you a little until you can hear more from my own lips.

"The second story about the pig you must not think is about your papa or either of his boys.

"I hear you have had rain since I left, but here there has been none, and nothing to interfere with the boys sliding down hill, in which they have great fun, piling up their sleds just as full of boys as it will stick and some girls, and then going pell mell down to the bottom. Mama can perhaps find a full and very pretty account of coasting in Albany in one of Mr. Cooper's novels.

"I hope you are taking good care of Mother and Georgie for I am sure if you do that they will see to the two little sisters.

"Don't let Hare Delafield drink too much cider, and

tell him I have a secret, another secret, for his ears. Youw! Youw! Youw!

"Be a good boy till you see

Your loving papa J. H. C."

To His Wife at Catskill

"New York, 3 September 1873.

" * * * You don't know how much I miss you all. The great trouble seems to be to get through the evening, and the night. My days are busy enough, but after dinner I feel homesick. * * * "

(September 5.) " * * * I dine every evening at the Union League Club where I find agreeable company and as President am of course treated with great consideration. * * * "

(September 7.) " * * * I am quite surprised to find myself in town today, for I went down yesterday morning with my carpet bag and coat, resolved to go *somewheres* till Monday, but in the course of the day some business came up which detained me here. Our church is still closed, as I found by going to the door where many people seemed like myself disappointed at not getting in. So I went in to Mr. Tracy's church, the Rev. Dr. Crosby's, and heard a truly old fashioned sermon on the finality of the judgment and the hopelessness of hell. I can't take my doctrine quite so strong, and am not surprised that Mr. Tracy who is Treasurer and Pillar there finds it painful to smile. * * *

"I find myself quite homesick every day, especially morning and evening and shall be right glad when I have you all here again."

He writes again to her from Albany expressing the same dissatisfaction:

"This lingering at hotels is very barren business. I would rather have one week in my own dear home with you and the children than a month of any other pleasure elsewhere. * * * "

Because Mrs. Choate could not go with him to the wedding of Mr. Evarts's oldest daughter at Windsor we have this long and lively letter to her telling about what happened on that very notable occasion. Writing from Cambridge, August 20, 1874, he says:

" * * * We got to Windsor after a most tedious journey at eight o'clock Wednesday evening and on the way and at the depot were joined by about twenty in all, including Chief Justice Waite and family, all bound for the wedding. Mrs. Evarts & Allie, Mr. Beaman and Mrs. Prichard received us at the depot, and we made our way under the guidance of the latter to the house or houses rather, for Mr. Evarts now has four, having lately purchased the large brick house next below him on the street. I was quartered in the home mansion, in the frescoed chamber, formerly Willie's room, and elaborately frescoed by him in charcoal, etc. Mr. Butler, Mr. Southmayd & Mr. Tracy at as many different houses. * * * About twenty more guests had arrived before us who had had dinner at four so as to be out of our way, and at nine we sat down to a most sumptuous supper to which we did entire justice, for we had a slim dinner at the Massasoit in Springfield because of the races in which Goldsmith Maid was to trot. Mr. and Mrs. Evarts

and in fact everybody was as jolly as could be, and very soon everybody was entirely at home. Mr. Dickerson, Beaman's partner and his family were there, Judge Hoar, son, wife, son's wife & daughter, Sam Ward, James Thomson & wife, Beaman's père et mère et frères, and many others, forty-one in all, who had to be boarded and lodged for two days and nights at least. This part of the affair was so perfectly conducted that if Mr. Evarts should fail at the law, I think he would be sure to succeed in the hotel or restaurant line. Of course he had a large force of waiters, etc. imported, but it was a heavy responsibility. Notice was given that breakfast would be served at the several houses, and we were requested to report to Mr. E. any inattention on the part of the waiters or members of the family. Hettie & Mr. Beaman were most active of all among the guests, and you would have thought to see them that it was to be anybody's wedding but theirs. Your absence was very much regretted, and I am sorry on all accts. that you could not have been there. Hettie had but one drawback to contend with—an ugly sty on her right eye which threatened to close it up on the morrow. The morning came and with it the guests gathered to breakfast. After that was despatched we scattered and walked about the farm and village and got back in time to dress for the wedding at 12. At the church everything proceeded in due form. Hettie was prettily, yes magnificently, gotten up in white silk and orange buds (the sty no worse); Mr. E. gave her away in the best style, and so she returned to the house as Mrs. Beaman. The bridesmaids were four—Minnie, Mary, Miss Adele Noyes, and Miss Stacy (of Newburgh—I think a friend of the Beamans'). They were all very lovely, as I ought to know as I kissed them

all, and devoted myself to them in a most particular manner. Mr. Southmayd even went so far as to kiss the bride, the first woman, as we guessed, that he had so treated in twenty years at least. But the affair with the bridesmaids was my own, in which I allowed nobody to participate but Mr. Prichard, whose mouth was watering so towards Miss Noyes that I had to consent as to her to share with him. The wedding breakfast at 2 was all that it should have been, very sumptuous indeed, although Mr. Evarts insists that it was all the product of his farm and garden; that is, he had saved up all he had made from them for ten years and spent it on the breakfast. Mr. Waite proposed the bride's health, and Mr. Evarts and Mr. Beaman toasted each other, Mr. Evarts giving 'A legal luminary—a son-in-law.' There was no end of fun and jollity. After the dinner the young people played and sang, Mr. Beaman with great effect producing for the last time: 'I wish I was single again' which you doubtless remember from him at the Harvard Dinner. The bride, escorted by another team containing the bridesmaids & groomsmen, went to the depot at 5½, departing under a shower of old shoes and cheers, when they experienced the first impediment of the day, a delay of 2 hours waiting for the train which was to carry them to Bellows Falls. But as the Chief Justice had given them the use of a palace car, specially devoted to his use by the R. R. Co., the delay was quite endurable. Then we had another stroll on the farm, and Mr. Butler and Sam Hoar went a-fishing on the pond, catching one trout between them a few inches long. The whole place has greatly improved in beauty since our last visit. At nine again we had another supper, and then to bed, a very tired and satisfied company. This morning break-

fast at 5, and took the cars immediately, reaching Cambridge before twelve. * * *

"I missed you every step of the way, and every minute in Windsor, and hope never to go off alone again. Life is too short I think for that. * * *

J. H. C."

To His Wife

"New York, 16 Septr. 1874.

"You are not half so good a correspondent as my first wife was or as I hope my next one will be:—two or at most three letters and all blowing me up a little are all the solace I have had since I left you in Lenox. But then I know and appreciate your burdens, and hope that when you are comfortably settled at Cambridge I shall hear regularly. * * *"

(September 19.) "I must make this letter out of the whole cloth, as not a circumstance worth the telling has occurred since my yesterday's writing. But then I have been reading Tilton's new statement, and the model letters which passed between him and his mother-in-law might inspire anybody's epistolary power. I suspect that the mother-in-law did her proverbial part of the mischief in that household. Poor Beecher! Whether guilty or innocent I fear that he will never be able to rescue his good name from the vile slough in which it is immersed.

"It is so abominably dull and lonely in the house alone, not even a carpet to tread on, or a silver spoon to feel of, that I am going to make another trip to Bay Shore tonight, although I shall return tomorrow, should the weather not prove good. But the clouds seem to have

spent their fury; the sky is clearing, and there are many indications that the storm is over."

"Quebec, Monday evening. (1874)

"DEAR GEORGE:—

"I want you to read this letter all yourself and not have anybody spell out a word for you.* But if you do have to get Ruly to help you with it a little you must read it over till you know it all. I said I would write to you from Montreal, but we saw nothing there that small boys would care much about. But here in Quebec are lots of things which would please you very much. The City is very old and is built on a high and rocky hill, up which the road is so steep that Robin could hardly drag our wagon to the top, but the tough little horses that they have here, not half as large as he is, tug away at loads much bigger and seem to draw them up with ease. The wagons too are very funny here. They call them Calashes (you may get May to tell you what that word is). They are like a chaise with two wheels and a little seat or perch for the man who drives on the edge of the dasher. How he holds on there it is hard to tell, but he does somehow, and drives like lightning, and the two poor riders inside are shaken all to pieces. The money here is gold, silver and copper, and they will not take our pennies at all, not even for candy, because they are not large enough. Those they do use are sometimes very odd and queer. Here are two for you—one as you will see has a dried cod fish on one side and a plough on the other. The other has two horses, and a lamb. I will bring home some more queer ones for you and Ruly.

"Today Mama and I went to see some real Indians

*The handwriting is very plain, with capitals like print.

who live at a place nine miles from here. The Chief was at home, and showed us all the things his people made and then, when he heard we were from New York, he brought out his tomahawk, and his scalping knife, and put on his war hat full of painted feathers, and took hold of Mama (in fun you know) and asked her if she was not afraid. She said 'Not a bit' and laughed and he laughed too. Like old King Cole he seemed to be a very jolly old soul. The Indian boys all have real bows and arrows, and cry out to people who go by, 'Shoot, shoot pennies, pennies!' and if you throw them some they set them up in the ground and shoot at them, and the boy who hits a penny with his arrow wins it and keeps it for his own.

"All around Quebec is a great wall built of solid stone, twice as high as papa's head, and so broad that if you were to lie on the top of it, you could hardly stretch your arms across. The English built it at great cost, to defend the City in case of War, but now one of our gunboats would knock it all down in a day. I will tell you more when I get home, if I hear that you have been a good boy.

From your dear

PAPA."

To His Wife

"New York, 16 Sept. 1875.

" * * * Horatio Alger Jr. (a classmate) breakfasted with me this morning. He is wonderfully interested in boys in general, having written any quantity of books for them. I told him all about Georgie, and I think he will come and tell him some stories when he gets home. * * * "

To the Same

"Niagara Falls,
May 8, 1876

"I do wish you were here with me. It would have quite repaid you for the fatigues of the journey, including the baby, to be at Niagara even for twenty-four hours. I got here at noon yesterday and have already, as you may suppose, explored the whole region, although I cannot quite equal George* in seeing the whole thing in an hour and a half. I was quite surprised to find the River and Falls full of ice, great masses of which are still coming down from the frozen regions of Lake Superior. Of course this is the only way it has to get out, unless it stays in the Lakes till the heats of summer melt it. At the foot the Falls are still great mounds of ice which have formed from the spray during the winter —not less than thirty or forty feet high. You would think that these relics of winters would make it very cold here. But on the contrary yesterday was as soft and balmy as you could wish. So that I found no need of an overcoat at any time. The chief changes in the surroundings of the Falls since you and I were here are the removal of the tower on Biddle Island, from which we had such a splendid view of the Horseshoe Fall, and the building of the suspension bridge just below the fall, together with smaller ones connecting the Sister Islands with Goat Island and each other. Goat Island is glorious, and I can imagine no more charming place to spend an afternoon now. Summer and winter seem to have actually met there, for while from the shores huge blocks of ice all around are actually within reach of your hand, the grass under your feet is full of May flowers of many

* His brother.

sorts, and there were parties of young ladies gathering them.

"Last night as you may believe I slept like a top from ten to six without once waking, and today I am again going over to the Canada side and if my time allows to Goat Island and the foot of the Falls. The ferry is not running because of the ice. At four this afternoon I go to Buffalo, and to Mayville to court tomorrow morning. You will find it in Chautauqua County at the extreme tip end of the State. Brides here are not so plentiful as later in the season. There were but two at the dinner table yesterday, and as they ate their mashed potatoes with their knives, I could not learn much from them of the world's new ways, but they seemed very happy.

Ever yours

J. H. C."

To His Wife at Babylon

"Richmond, Va.
May 31, 1876.

"We arrived here safely yesterday afternoon, though infinitely hot, dirty and tired. But the sail down the Potomac from Washington to Quantico, where we took the cars for Richmond, was very delightful, passing Mt. Vernon and other points of interest which I had never seen. At night it became very cool here so that I was glad of my overcoat, and we have an excellent opportunity to prepare for our scrimmage in court which comes off tomorrow. Chief Justice Waite who is here says there are one hundred and twenty-eight lawyers in the case, so you may imagine how little there can be for any one of us to do.*

* The case was doubtless the same railroad case that he speaks of on p. 333, but the name of it is lost.

"Richmond is an interesting looking place, full of course now of historical reminiscences growing out of the war; but I have not yet had much chance to explore it. By moonlight last evening the equestrian statue of Washington, by Crawford, was wonderfully stirring and fine. By far the most spirited thing of the kind I have ever seen, and Lord Houghton, who had travelled everywhere and seen everything, said the same.

"The town is just now full of Southern patriots from every section of Virginia, attending the Democratic State Convention, all ranking as Judges, Governors, Colonels, Generals, Majors, etc. The two General Lee's came on the train with us and last night I was to make the acquaintance of distinguished rebels. There is no end of little piccaninnies but I haven't yet picked out the one to bring home for the children.

"I hope to hear tomorrow that you are all well and happy.

Ever yours, J. H. C."

(June 1.) " * * * Last night we attended the Democratic Convention, and witnessed some outbursts of Virginian oratory. There were many allusions to the 'lost cause' but on the whole they were a fine looking body of men, and infinitely good natured. Strange to say they generally seemed to favor Hancock the Federal General for President.

"Our case is to come on this morning but no man can tell what turn it will take, or how long it will last. These people seem to have no conception of the value of time. They talk forever, and consider all time consumed in that way well-spent, while we are driven by necessity to speak right to the point, and get through. Still, I

hope to get home by Sunday morning. If I don't, it will knock my New York engagements into pi. * * *

J. H. C."

(June 6.) "Our case still draws its slow length along in the most provoking fashion, and though I hope to get through today it is only a hope. But I have sent four shirts, collars and handkerchiefs to the wash this morning, so as to be prepared for whatever may come. Yesterday we had a most delightful day at General Wickham's plantation. It is in the neighborhood of Hanover County Court House where Patrick Henry made his first great speech and became famous in an hour. Of course we visited that which is a most unique specimen of antiquity and in the same state and condition as then. Henry Clay too was born close by—in the Slashes or swamps from which he got his first name of the Mill Boy of the Slashes. General Wickham lives in truly patriarchal style on a farm of 3500 acres, on the Pamunkey River, whereabouts there was great fighting in the War of the Rebellion. He entertained us most cordially. His wife is a near relative of General Lee, and he himself was a Major General in the same service and was desperately wounded. His father, a most refined and courtly old gentleman of 83, reminded me much of Sir Henry Holland, whom he knew well. The negroes there live just as they did before their freedom, and we took great interest in visiting their quarters. Tell Georgie that the little negroes of his own age read almost as well as he does. Mrs. Wickham gave me a real Indian tomahawk of stone—probably hundreds of years old—for him.

"I got no letter yesterday but conclude that you are all doing well.

Ever yours J. H. C."

(June 7.) "Last night I dined with the Rebel General Bradley I. Johnson—and the night before with one of Mosby's Guerillas—so you see I am in the heart of the Confederacy."

To His Wife

"52 Wall Street, New York
16 August, 1876.

"Isn't our baby about the loveliest of created beings? I have been describing his points to Southmayd, trying to excite his envy, but seem rather to have only stirred up my own enthusiasm. It seems to me that he can hardly be outdone, until evolution in its advance shall bring the race to a higher state of development."

To His Wife

"New York, 7 Septr. 1876.

" * * * There seem to be no end of people fearfully hard up just now. Since I last left my chair I have had a chance to lend one friend in distress three hundred dollars, which I did not do, and another stranger wanted five dollars to keep him from starvation and suicide. * * * "

(September 9.) " * * * I have begun taking some riding lessons at Dickel's in the mornings before coming down town, and as I have the teacher to myself, for a whole hour, begin to think I didn't quite understand the art before. * * * "

(September 14.) " * * * I am writing this letter while presiding at the monthly meeting of the Club, and as no long speeches seem to be in order I have to interrupt it about every other line, to put a vote, or ap-

point a committee. Everybody seems to be going to the Centennial and I hear of so many people on their way to Bryn Mawr that I think by this time they must be full to overflowing. There will certainly be a great rush there as the exhibition draws to a close, just as Macaulay says was the case in England at their first exhibition. * * *"

To the Same at Philadelphia

(October 3.) "* * * I hope you are seeing the exhibition thoroughly. The happiest people I meet are those who have seen it and got safely home. * * *"

(October 14.) "* * * I wish I was going to be with you on Monday, the greatest day in our History, in fact the one day of our lives above all others. Haven't we had fifteen glorious years? The past at least is secure, and whatever may befall us we can't lose that. * * *"

To the Same

"New York
October 16, 1876

"I received your nice letter this morning, but have been at Court all day and so I write at home this evening, intending to post it at the Depot in time for the nine o'clock. Mabel is sitting on the dining-room table in front of me and says: 'Send my love to Mama, and my love to Jojo; have you done it?' And Effie says: 'And me too, and to Auntie Carrie too.' The little girls have almost entirely recovered from their snuffles and Ruly is wholly well. E. and M. have been spending the afternoon and taking dinner at the McGinnis's, and seem to have had a lovely time. What should we do without these dear little girls? Yesterday morning they

woke me up with the loudest kind of shouts over the snow which was very thin and stayed only a few hours, but it was a strong reminder of winter as it was very cold withal. I have not had the furnace lighted, preferring to have an open fire in the dining-room and another in the nursery to keep the children warm. Today I had a very well written letter from Joe K. to thank me for intervening in his behalf. He seems rather to have been advanced to a better position instead of losing his place altogether. Tomorrow afternoon I have to keep my promise to Mr. Cowdin to go to Mt. Kisco and talk to the Republican Club there. I am sorry I promised, but must go. Mrs. Bushnell is to make us a little visit the rest of the week on her way back to Brooklyn. The Youngs are soon to return from Philadelphia to their house there.

"Politics seem to be getting very warm here. Mr. Blaine speaks tonight at Cooper Institute and I suppose that from now to Election we shall have one continuous turmoil. The City Hall for days past has been overflowing with Paddies and Dutchmen who are being manufactured into voters as fast as possible.

"Do you note what day it is—the sixteenth? What have we to regret in it? and how very much to be thankful for. It has been to me at least the greatest day of my life.

Ever yours,

J. H. C."

In a letter to his mother, December 18, 1876, he says:

" * * * Ruly is taking lessons in elocution, for I found he was *reading through his nose!* which no child of mine shall do if I can help it. He does very well at school."

To the Same

"138 Boylston St., Boston.
June 28, 1877

"I have been on the drive so since Monday that I really could find not a moment to write. Our Commencement junketing is over and I have survived it well. Of course I had to speak at the Alumni Dinner, but it was after the President and other dignitaries had departed, and the charm broken, so that everyone else was anxious to go and I made it very short. I will send you an *Advertiser* with an account of the proceedings. The President has been most heartily received here. Though staying on the next block he has never passed the house till this morning, always turning off at the corner below. But today before breakfast as he was on his way to the Providence Depot we waved our handkerchiefs from the window, and Carrie and Georgie were delighted at his apparent recognition of us. He took off his hat and he and Mrs. Hayes made low bows, and one of the young ladies, who I think was Minnie Evarts, kissed her hand—all which seemed in the quiet morning of Boylston Street quite a demonstration."

To the Same

"Albany,
1877

"As usual my hope of getting off in one day is disappointed, but I have finished one argument today, and my other case stands third for tomorrow. So I hope to get through that in time to come down tomorrow afternoon.

"You will see that I am at the Delavan. General Barlow and I are installed together in Boss Tweed's old rooms which are truly what is called palatial. An im-

mense parlor with three bed rooms opening from it and a bathroom, etc. Whether there is any of the atmosphere of corruption still lurking within the walls I do not know, but no sooner had we arrived than Barlow was taken sick with a severe bilious turn, and has been in bed ever since, and I have varied my attendance in Court with nursing him. He is better tonight and will doubtless be all right again in a day or two.

"This afternoon I took a walk out to the old Van Rensselaer place on the Troy Road which you and Georgie visited with me last spring. Its appearance contrasts strongly in its winter garb with that which it presented, but still it is very lovely, and a delightful relief from the streets of a closely built city.

"It is now eight oclock and beginning to rain—and as my patient is sleeping quietly I am writing in the reading room.

"Did you read the story of the crew of the *Loch Earn* in the morning papers? I don't believe a word of their charges against the Frenchmen. Those officers I am sure are gallant gentlemen, and could not be guilty of abandoning their ship or the passengers.

J. H. C."

To the Same

"New York, 26 Sept. 1877.

" * * * The first reports of the Republican Convention at Rochester indicate that they are a pack of geese, but perhaps the performances of the afternoon will be more sensible."

(September 27.) " * * * The performance at Rochester yesterday is the town talk today, and everybody

agrees that our distinguished Senator has very thoroughly finished the digging of his own grave. Was there ever a more brutal and disgusting exhibition of himself made by a man occupying a high public position? He will be buried so deep as never to be dug up again. * * * "

This was the convention at which Mr. Conkling assailed Mr. George Wm. Curtis as a man-milliner of politics.

To His Wife

(October 1.) " * * * I had a very delightful visit at Oyster Bay at the Roosevelts' and wish you could see their pleasant way of life there. They are only twenty-seven miles from New York and in the midst of a country which doesn't correspond in the least to your ideas of Long Island. Instead of the dreary sandy wastes of the South Shore, it is a pleasant and well wooded rolling country, and apparently filled with good quiet people.

"We are all excited here about politics just now, everybody outraged at the late performances at Rochester. We shall probably have a great Republican indignation meeting, at which I seem likely to be drawn in for a leading part—probably it will not come off till next week. * * *

J. H. C."

(October 5.) " * * * I am going to dine tonight with Sir —— and Mr. —— of London, Railroad clients, at the Hotel Brunswick, which means sitting up till midnight talking over their dreary business. * * * "

(October 6.) " * * * I am undertaking to write you while the other side are arguing a case before a

Referee, but I feel pretty sure of the case, and can lend him half an ear. * * *

"What do you think? My long-promised watch arrived yesterday from Mr. Delvalle, and is a very beautiful one. Hunting case, stem winder, and a repeater striking the hour, quarters and minutes. I have no doubt it is a very costly one. It has my initials on the case, and will last through little Joe's lifetime after I am gone. It certainly shows very grateful and pleasant feelings in my long suffering client.

"I think the weather is so fine that I shall go to Mrs. Dominy's for Sunday, if this orator on the opposite side of the table ever stops talking. He seems to think he's got a very uphill road. * * *"

To the Same

"Norfolk, 23 Nov. 1877.

"We had a most satisfactory and delightful voyage to Norfolk, making the passage in a little less than twenty-four hours. * * * It being my longest sea voyage hitherto I enjoyed it very much. * * * Norfolk is rather a dismal place—flat, squalid, and slipshod but evidently flourishing. Cotton, of which it is getting a very large share for shipping, is rapidly building it up. The negroes whom you meet at every step look poor, dirty and uncared for. I expect to find no difficulty in securing a little pickaninny of the right age to bring home for Joe. Dear little fellow! how delighted he will be with his little sooty companion. How much better than any dead toy it will be for him. I am very much in doubt whether to take a boy or a girl, and nothing but the impossibility

of solving this doubt will prevent me from carrying out this favorite and long cherished project. * * * "

To His Wife in Stockbridge

"New York, 29 June 1878.

"I hope you find it comfortable in Stockbridge this sweltering day. We are catching it in New York, but I have just received a note from Dr. Sexton saying that he had engaged Capt. Sam's boat and rooms for us to-morrow at Dominy's, and so I am going down there by the six oclock train to escape from the wrath to come."

To the Same

"52 Wall St., Saturday afternoon.

" * * * I believe I wrote you that we had been doing very satisfactorily with Genl. Porter's case all the week, and to-day I have had a long session here with him and General McClellan and Genl. Wilcox of the Confederate Army. The latter is to be our next witness. Genl. Pope has concluded not to put in an appearance. * * * "

"West Point, N. Y. 9 July 1878.

" * * * I came up here yesterday morning with our party and went right to work upon the case. It promises not to be so very long, and I have strong hopes that in this week and next we shall be able to get in all our evidence. * * * "

(July 10.) "We got on famously yesterday, bringing out Genl. Longstreet and Genl. Marshall, both of whom, particularly Longstreet, were very effective on Porter's behalf. * * * "

To the Same

"West Point, N. Y. 11 Septr. 1878.

" * * * As to my interview with Judge Rapallo, it was as I suspected to retain me in the Vanderbilt Will Case, the biggest case of the day undoubtedly but one of the most disagreeable, as there is no real issue in it to be tried, and the whole thing seems to have degenerated into a mere scandal suit. I spent all of Monday evening with Mr. Vanderbilt, who seemed to think I could do much more for him than I do myself. The longer I practise law, and the more success I have, the more it seems to me to depend upon luck and the fancy of people. I could point out to him a dozen men who would serve him as well or better. * * * "

To the Same

"52 Wall St. Tuesday afternoon.

"My trip to Syracuse was a successful one, and I got home very early this morning so as to go into the Vanderbilt case which has again lasted all day. Four nights out of the last seven in sleeping cars! * * * "

To the Same

"New York, 1 October 1878.

" * * * The Vanderbilt will case and the Fitz-John Porter case are now in full blast, and what time I am not needed in one I shall have to be in the other, and there are a great many things besides that compel my attention. * * *

"I had a lovely time at Bay Shore on Sunday—a glorious day on the Ocean, from eight to seven oclock,

and was the lucky man at the fish, bringing in a hundred weight or more of fine blue-fish, while Charley Miller, the expert and sportsman, fished all day without a bite. * * *

"We are having a sharp fight with most desperate characters in the Vanderbilt case, but it can't last long."

(October 4.) " * * * Mr. Brown, our neighbour, has got his extension already roofed in. Do you know that Mrs. B. hasn't the least idea of what is going on there, and isn't to know it until she sees it on her return. What would you say if I did such a thing? * * *

J. H. C."

To the Same

"Richmond, Va. 24 Octr. 1878.

"I did fondly hope this morning that the interminable discussion over this railroad case would have come to an end before the adjournment this afternoon, but it did not—these Virginians die game, and continue their speeches to their last breath, so that I am a prisoner in Richmond for one day more, and kept as close (though in more pleasant quarters) as were our countrymen in the Libby prison down the street. I do get so tired of these companions with whom the business links me, throwing us together at all hours of the day and night. (Think of spending five evenings in succession with —— and —— both.) Do you wonder, that I almost despair for the want of you and the children? Even a 'blowing up' at your hands would be a welcome variation. Well, I got word today that Genl. Pope refuses to come. Nothing so good could possibly happen for Genl. Porter's cause. Now if we can drag him across the continent by

force of Uncle Sam's strong arm, a reluctant and a hostile witness, we shall be ready to close the case. * * *

J. H. C."

The main facts in the Fitz-John Porter case, what the trial was about, how it resulted, and the action of Congress afterwards—are briefly and well set forth in an editorial of the *St. Paul Pioneer Press* of December 15, 1880, as follows:

"If the angels in heaven rejoice over one sinner that repenteth, the celestial host must have stood in a mournful silence when the vote was taken on Senator Randolph's bill to restore Fitz-John Porter to the army and to place him on the retired list with the rank of colonel. This is meager amends for the cruel injustice which Porter has suffered for the last eighteen years; but inadequate as it is, not a single Republican vote was recorded for it, and the fact is one which history will record to the shame of the Republican party. Fitz-John Porter was condemned by a military court martial hurriedly convened in 1862, on the charge substantially of treasonable disobedience of orders and of treasonable inactivity in the face of the enemy, on testimony which subsequent investigation has conclusively demonstrated to have been false and erroneous, and some of it perjured. Porter protested in vain against the justice of the judgment of the court martial, and never ceased to ask for a reexamination of the facts in the case. This was granted by President Hayes, who appointed a board of officers to make a full investigation of all new and other evidence in the case and report such evidence, with their conclusions, to the president. This board consisted of Gens.

Schofield and Terry and Col. Getty, with Maj. B. Gardner, judge advocate, as recorder. This board convened at West Point in June, 1878, and was engaged for nearly ten months in a thorough and exhaustive investigation of the facts. The report of the board made on March 19, 1879, was a complete and triumphant vindication of Gen. Porter. They declared, in substance, that the findings of the court martial, which condemned Porter, were based upon a total misconception of the essential facts in every case on which a specification was based. 'All the essential facts,' say the board in summing up, 'in every instance stand out in clear and absolute contrast to those supposed facts on which Gen. Porter was adjudged guilty.' The fundamental errors on which Porter was convicted were fictions invented, and ever since maintained, to cover up the radical faults of generalship displayed by Gen. Pope during his Virginia campaign in the summer of 1862, and to make Porter the scapegoat of disasters for which Pope alone was responsible. These errors ran through all the testimony before the court martial, and were conspicuously exhibited in the maps used before that body to show the relative positions of the various corps of the Union and rebel armies. Gen. Porter and the other divisions of the Union army were placed by that testimony and those maps in positions relative to the enemy and to each other wholly different from the actual facts."

In his final summing up in General Porter's case, Mr. Choate told how he came to take it. He said:

"I must confess, almost with shame, that for more than fifteen years I was one of those heedless and un-

thinking millions who took it for granted that General Porter was guilty. Not guilty, if you please, of the atrocious crimes of which he was convicted, because I never knew the exact nature of these charges; but guilty of something heinous and derogatory to his character as a soldier. I had taken it for granted, as I believe the millions of the inhabitants of this country had, that a court martial consisting of nine eminent generals sitting in judgment upon their peer, could not have found him guilty, and put upon him the brand of infamy, which is conveyed by their sentence, unless he had really committed some fearful crime. When he came to ask me to act for him in a professional capacity, I was obliged to tell him so; and he said, with a manliness, which I shall never forget, that he would not ask me to act for him unless upon an examination of the record, and upon the facts that he had to present, I was satisfied of his innocence, and further even than that, for he added that if after taking his case I should find, as it proceeded, and was developed, any reason to believe him guilty, I should be at liberty to abandon it. Well, I examined the record. I found that the case had not been half tried; that the trial had taken place in the midst of the frightful excitement of war, when party and sectional passions were at their utmost height, when the disasters in which the war had involved the country had saturated the minds of the people—and of almost all the soldiers of the country—with alarm and indignation. I found that there were circumstances most unfavorable to justice in the surroundings and in the composition of the court which tried him. I found that one half of the main witnesses cognizant of the facts had not been accessible to him or to the court at the time of the trial. I found that

the most able and learned jurists of the country, in examining the case, had pronounced that even upon the record as it stood, there was no evidence fairly, upon the acknowledged principles of justice, to sustain the conviction."

Having satisfied himself that General Porter had been unjustly used, Mr. Choate took the case as a matter of public duty. There was no other motive. He never received or expected to receive payment for his labors from General Porter. By working very hard, living well within his income, and presumably investing his savings wisely for forty years he accumulated a fortune that was certainly comfortable and might even be considered large, though not for this century. Consequently he was sometimes criticised for not being a more liberal giver of money to various causes that invited it. But it should be always remembered that he was all his life a prodigal giver of time, thought, and the best and hardest work he could do to the public service, to charity, and to the righting of private wrongs as in this case of Fitz-John Porter and, later, in the Laidlaw case. These and many other labors in court, and innumerable speeches and addresses out of court, and other services, a long list, were his chief contributions to the world he lived in and the country that was his. In those services—those great and unceasing gifts to society—lies the chief basis of the honor and affection in which he was held and of a renown much exceeding what may be won solely in the practice of law. He did give money first and last in appreciable quantity, but his great gifts came not out of his pocket but out of himself.

"New York, Thursday 7½ A. M.
June 1879.

"My dearest Georgie:—

"We shall be off at 8 o'clock, and my last word is to you and your dear sisters and Jo. I hope you will all be as good as pie all summer, and that we shall hear nothing but the best accounts of you every time. I am sure that with Kitty and Gyp you cannot but be happy, but you must not forget to be as good as you are happy every day. Don't forget Mother's written rules, and I must not hear that you have ever broken one of them. And mind Grandma every time she speaks, for you must know that it is a great care for her to have charge of you all, and you can help her very much by prompt obedience all the time. I expect to hear of you as a little man always.

"These three months that we are away will slide away very fast, and we shall soon be together again, when I want to be very proud of you for your good conduct all summer. Don't nag the little girls, or tease Jo at all, and if anybody tries to tease you don't mind it, but only laugh at them.

"I enclose six dollars to be divided equally between you and Mabel and Effie. That will be two for yourself for Fourth of July and two for each of them. I suppose they will not want to spend much of theirs for Fourth of July, but with your two dollars you can get crackers and torpedoes at Stockbridge or at Great Barrington. But be sure and not get burnt or blown up.

"Good bye, my darling boy, and give each of your sisters and your splendid brother a kiss from dear

Papa."

"Be sure not to race *Kitty*. I know that you love her

very much, but you do sometimes forget and you might spoil her by a single hard race."

"Steamer *Celtic*, off Queenstown.
4 July 1879.

"DEAR MOTHER,

"I will not leave you quite without the means of tracing our course at least upon the map as we go upon this pleasant journey. We have made what the Captain calls an excellent run, and are now in momentary expectation of experiencing what I have often heard described the strange sensation of the first sight of land. The voyage has been altogether delightful, with all sorts of weather, hot and cold, wet and dry, rough and smooth, and we have had no seasickness, at least next to none, as you may believe when I tell you that we have all been at every meal and done them ample justice, and ample meals they are. There are many agreeable people on board, among them some of our very old friends, like the Tuckermans of New York, the Fays of Brooklyn, and some new ones, of whom are Prof. Paine & his wife of Cambridge. Mr. P. proved to be an old acquaintance from Salem, tho' somewhat hard to identify at first. We expect to land at Liverpool tomorrow, and go to London by way of Chester, and Leamington, stopping at the latter place a day or two to see Stratford, Warwick, etc., so that we shall not reach London before Wednesday night.

"Ruluff's enjoyment of the voyage has been quite indescribable, and it has been a great pleasure to watch him. He has proved to be a universal favorite, especially among the gentlemen, who are impressed by his acuteness and singular powers of observation. There is noth-

ing about the ship that he hasn't explored and mastered, and on all questions pertaining to nautical affairs, they appeal to him as the final authority. His *Journal* if he keeps it up—or as long as he keeps it—will afford you great entertainment. The labors and sports of the sailors have afforded him infinite entertainment.

"We do not intend to make a very thorough or exhaustive programme for our journey, or as if we were not to come ever again, but to take a general run, and cover quite an extent of country so that if we should be so fortunate as to come again in future years we may know exactly what we want to do. In fact, ocean travelling is now reduced so nearly to perfection, that almost any one may hope to come. Judge Swayne of the Supreme Court at Washington, and his wife, both of whom are quite as old as you, are on board and having evidently a splendid time. * * *

J. H. C."

"London, July 21st 1879.

"Dear Mother,

"We have been nearly two weeks in London and though it has positively rained every day, and the sun has only shone a few hours in the aggregate, we have enjoyed every minute. While the reports from home have been of terrible heats and tornadoes we have worn overcoats and carried umbrellas everywhere, as a matter of course, and slept under many blankets. The immensity of London is perfectly amazing even for a New Yorker. Besides seeing the great historical sights, which everybody sees, we have been most hospitably entertained among the most delightful people. Last night, for instance, we dined at Lord Frederick Cavendish's, who is a son of the Duke of Devonshire, and there we met the great

liberal leaders, John Bright and Mr. Gladstone, and Sir Henry James and Mr. Herschel, two of the leading lawyers of the day. And on Wednesday we attended a garden party at Holland House, where all of the Royal Family who ever appear were among the guests and of course, none but very considerable swells were received. I considered the Princess of Wales quite worthy of all the praises that have been lavished upon her beauty, for which she is very conspicuous among the English women. This afternoon again we are to take tea at Devonshire House, and on Friday to dine with Mr. Forster who is a great parliamentary leader. So that we have the opportunity of seeing London on its best side, except always for the weather, which Londoners protest is the worst that has ever been known even in this land of waterproof & umbrellas.

"Mr. Thomas Hughes, the famous author of 'Tom Brown at Oxford and at Rugby,' called to see us and took me to the Cosmopolitan Club, where I saw many of the prominent men here.

"Of the sights that we have yet seen Westminster Abbey and the Old Westminster Hall have been the most enjoyable, though we have not yet seen the Tower, which I have always looked upon as the most important thing to see on English soil. The Abbey is in itself almost a complete history of England. We have been to the House of Lords, where Lord Granville escorted Carrie & Miss Derby into the Peeresses' Gallery, and Ruly and I found a place on the steps of the throne; and to the House of Commons where Mr. Bright was equally kind to find us seats and show us the celebrities. But much as we have been delighted with London we are not forgetting the main objects of our journey, and on Satur-

day we intend to start for Holland, and Belgium and from there up the Rhine to Switzerland. We had a visit the other day from Mr. & Mrs. Longfellow who sail for home in August. She is a little older but as pretty as ever, and a really very handsome woman.

"Yesterday we got our first letters from home, reporting all the children well and happy at Stockbridge, which was a great comfort. * * *

J. H. C."

"Paris, 15 Sept. 1879.

"Dear Mother,

" * * * We find ourselves in time here to see many marks of the terrible ravages of the Commune of 1871 which are fast being removed. The Palace of the Tuileries which is in view from our windows is a melancholy ruin, and hardly affords one an idea of what its glories must once have been. The present idea is to remove it entirely. The Hotel de Ville and the Palais de Justice which were also—the one destroyed and the other greatly damaged—are rapidly being rebuilt. It seems to have been the purpose of those miscreants to destroy everything that was grand and beautiful in this splendid city, but fortunately they did not have time. A large party of the amnestied Communists arrived yesterday from the place of their long exile, and though received at the station by some twenty thousand curious spectators there was no disturbance and they seem to be of no account whatever. * * * "

To His Wife

"Washington, Oct. 30, 1879.

" * * * I have just been dining at the hotel in company, with General Devens, the Attorney General and

'Old Probabilities' Genl. Myer. Instead of looking like old Father Time, as you would expect, the last named gentleman is much younger than I, and yet to some eyes I must appear quite juvenile, for when Mr. Evarts and I called together this afternoon upon Judge and Mrs. Swayne, the servant went up and told the Judge that Mr. Evarts and *his son* were down stairs."

CHAPTER V

THE EIGHTIES

GARFIELD'S ASSASSINATION—CESNOLA LIBEL SUIT—ATTITUDE TOWARDS CASES—FAMILY GOSSIP FROM STOCKBRIDGE—THE BUTLER COMMENCEMENT—ANOTHER COMMENCEMENT DINNER—DEVOTION TO HARVARD—HARVARD CLUB DINNER—DEATH OF RULUFF CHOATE—WINANS CASE—HARD BESET—HOYT CASE—BREARLEY SCHOOL—BANQUE CASE—STARTING A NEW ENGLAND SOCIETY IN BROOKLYN—THE NEW ENGLAND DINNERS—ALPHA DELTA PHI REUNION—BURDEN CASE

To His Wife

"Tuesday evening, Jan'y. 1880.

" * * * Washington is very wintry—the snow being piled up in the streets nearly as high as in New York. The Riggs's is very full of strangers. The Woman's Rights Convention is in session, and I had the pleasure of breakfasting with Mrs. Cady Stanton and Susan B. Anthony at the next table. Josh. Billings was on the other side of me. He is lecturing here, and last night I went to hear him. The first fifteen minutes he was very amusing—the next fifteen very dull, and the last half hour he was sound asleep. He wears his hair about a foot long, bites his bread, and has all the airs of a genuine Yankee. * * * "

To the Same

"New York, July 8, 1880.

" * * * Creber has come out of the hospital, and has gone 'to Hengland to fetch Mother.' He sailed yesterday by the National Line, and like all the rest of the

world of fashion expects to return in the Autumn. He said you owed him six dollars, so I paid him that and lent him four more, and gave him five more and sent him on his way rejoicing. * * *

"It seems that Dr. Draper was in the very bow of the burnt *Seawanhaka*, and stayed on board until she touched land, and until one of his ears was burned and then jumped off into shallow water and helped to rescue S. L. M. Barlow.

"Your friend Dr. Tanner continues his fast for the benefit of science, and if you were here I should invest a half dollar in taking you to see him—but alone I do not care about it. * * *"

To the Same

"Riggs House, Washington, 1880.

" * * * How do you like Mr. Gladstone's letter? It is certainly the most extraordinary one on record for a Prime Minister of England. I'm afraid it will damage him very much with the English people, who like humble pie least of all foods. * * *

J. H. C."

The letter, presumably, in which he said that he had been mistaken in his opinions and attitude anent the Civil War in the United States.

"Richmond, Va. 27 Oct. 1880.

11 P. M.

"DEAR GEORGIE:—I have just arrived at Richmond after twelve hours steady riding in the cars. Mr. Evarts came along as far as Washington, where we took a carriage and drove to Welcker's for dinner having just an

hour before the train started for Richmond. The dinner was so good, and we lingered over it so long, that we came near being left, but galloped to the depot just in time to jump on to the last car of the train already in motion. But of course you must never do that you know. From Washington we played whist nearly all the way and so speeded the time very much.

"Richmond seems to be full of people attending the State Fair, where I expect to see some fine horses. The Hotel is crowded, and a band of music is playing in the corridor that connects the two houses—a bridge built right across the street, as Ruly will remember.

"I am going right to bed after mailing this letter, but I wanted to remind you of your promise to be the best of boys during my absence, to do your very best with your lessons, and to do everything just as Mama says, so as to save her all the trouble you can.

"With love to everybody,

Your dear Papa, J. H. C."

To His Wife in Stockbridge

"52 Wall St., 24 June 1881.

"I have just finished my last New York case, and am quite elated at the prospect of a release from my long labors. * * *

"If that Phi Beta affair were only off my hands I should feel almost happy.

J. H. C."

To the Same

"New York, July 6, 1881.

" * * * At the depot Miss Clara Field showed me a despatch from her uncle in Washington which was very

discouraging about the President, but the accounts here are of the most hopeful character. Up to half past seven this evening, there is no return of the bad symptoms which have hitherto appeared in the evening, and he has been steadily gaining ground all day. There is a strong feeling now that he will recover. * * *

"It is now ten o'clock and I have been waiting here to get the last evening bulletin from Washington but it has not yet arrived. * * *

J. H. C."

(July 11.) " * * * I don't feel very sanguine about the President—it seems to be such a miracle if he is to get well. But perhaps in the bracing air of Berkshire one would take a brighter view. * * *"

President Garfield was shot July 2, 1881, in the Pennsylvania Station at Washington, as he was taking a train to Williamstown, and died September 19.

To the Same

"Rochester, July 13, 1881.
Very early in the morning.

"I arrived here quite comfortably at ten o'clock yesterday, and now at six in the morning I am up and packing for Geneseo which is thirty miles from here. It is thoroughly summer here, and as I drove about the city last evening everybody seemed to be living on their door steps. I visited the Genesee Falls, where Sam Patch made his famous leap and where a few years ago a load of cattle went over, and some of them went immediately grazing on the Island below. In Europe such a fall would

be treated as a great wonder but this is too near Niagara to attract much attention.

"Last night, too, I went to church and as this is a great Baptist Community I saw a queer sight—total immersion. They had a great marble basin, big enough to hold the minister and his victim, who waded in together, and at the word, in she went all over, with a splash. I suppose it is in imitation of Jesus in the River Jordan.

"I hope to get through at Geneseo today, but as three lawyers have come all the way here upon the other side, they may want to talk more than a day.

"I imagine you quite dull and lonely after Ruly's departure."

To the Same

"New York, 21 Sept. 1881.

"Nothing is thought of or talked of here but the death of the President, and at this moment I am presiding at a meeting of the Union League Club to take action on that account. I was very glad to preside in the absence of Mr. Fish who is sick at Saratoga, and so I escaped the necessity of making a speech. * * *

J. H. C."

To the Same

(Wednesday evening.) " * * * Mr. Roosevelt and I are going to dine together at the Club this evening and thence to the meeting. By the way, did I tell you that Mrs. R. who is very charming and sensible, expressed a desire to call upon you on her return to New York? I am sure you will like them both. * * * "

The Cesnola case, which started in October, 1882, lasted well into the next year and made a great clatter. General di Cesnola discovered the Temple of Golgoi in

1870 in Cyprus and got out of it a lot of antiquities which in the course of time he sold to the Metropolitan Museum of Art. When the collection became available for examination, charge was made by Mr. Gaston Feuardent that the statues and other articles that composed it had been so much restored and doctored that they were of little or no value as antiquities. He declared in effect that General di Cesnola had put over a fraud on the Museum. In this contention he was supported by Clarence Cook, art critic of the New York *Tribune*. General di Cesnola came to the defense of his collection with indignation and burning words not always measured; so it soon fell out that Feuardent sued him for libel. The plaintiff's lawyer was Francis N. Bangs, with Mr. Oakley to help him. Mr. Choate, a trustee of the Museum, was counsel for the defense with Mr. Stickney and Allen W. Evarts as his associates. Opening his argument for the defense on January 29, 1883, Mr. Choate described the course of the case, and the *Tribune* of the following morning tells about it:

"* * * The United States District Court room was well filled yesterday when Mr. Choate began his argument for the defense in the Feuardent-di Cesnola case. The space to the left of the Judge was crowded with ladies. The statues whose integrity has been called into question were picturesquely grouped about the tables in the court-room and the larger ones loomed up in the background against the windows. Many of the trustees of the Museum were present. Mr. Choate began his address at half past one, and the crowd in the court-room grew larger as he proceeded. He said:

"'Gentlemen of the Jury: I want to thank you in the first place for your inexhaustible patience. When

we started in here the sunny days of October were still with us, and now it is the dead of winter. If we had stayed here a little longer we should have all become antiquities. I know that I have felt, as I sat here, the corroding surface of antiquity stealing over me and I have thought at times that the incrustations we have heard discussed were slowly covering His Honor and yourselves, so that in a short time we would have been worthy of gathering into the Museum. The trustees would, I am sure, have purchased us at our own price. We would have made a stately gathering in those silent halls, headed by His Honor and the rear brought up by Mr. Colfax (the court officer) who has ministered to our comforts here. Our only regret would be that we should have to part company with the learned opponent Mr. Bangs whom no age can deprive of that fire whose possession would make him unworthy the association.

"'I do not claim the merit of prolonging this trial. The learned junior counsel on the other side Mr. Oakley promised it would occupy four days. The achievement of lengthening that into ninety belongs to the learned counsel on the other side, whose insatiable passion for asking questions has dethroned woman from a long-recognized position. He learned that there were 35,553 objects in the Cesnola collection and he has asked a question for each one, expecting to find a fraud hidden about each one, and backing up his questions with unlimited argument. Outside of this he has asked about everything else under the sun. He has investigated every act of General di Cesnola from the hour of his landing here, a penniless stranger, until the hour of his leaving the stand. He hunted up his marriage certificate, and was proceeding to inquire about the bridal journey when the court cried halt.

"'Your verdict is of overwhelming importance to General di Cesnola. It involves everything he holds dear, his position, his future, his reputation at home and abroad, on which no breath had ever rested until *The Art Amateur* article attacked it in 1880. He was the fortunate discoverer of antiquities whose importance has been described by Newton and other great exponents of archæological lore as unparalleled in value, and has been classed with Schliemann. And now by a continued series of attacks which have culminated in this trial this plaintiff has brought his character into question. Here he has had every opportunity to repeat every charge and adduce every proof. And what are the charges? They are so mean and so monstrous that no intelligent man could commit them. This collection has no value except as a collection of antiquities, and yet he is represented as studiously seeking to destroy the only element of value in them. I can only repeat my learned associate's simile: "Who ever heard of anybody raising checks downward?" Now during four years he has been subject to a vehement persecution. Not a conspiracy, but a single-handed persecution. At one time the plaintiff had an associate, who lent his name to some of these serious charges, but he has vanished from the scene. The attacks began in 1879, through personal and private letters. They were made by a man who knew the collection by heart. He began by a single charge. He followed it up by its repetition, in July, 1880, in print and since then he has distributed his diatribes among such papers as would devote a column or a line to the defamation of the defendant. And he has prosecuted this method of attack ever since, and within a week has had the indecency to renew these newspaper publications.'"

That is an example of the way Mr. Choate approached a subject. He went through life laughing at a foolish world. His cases were serious to him in so much as they involved responsibility. If he accepted a trust he was faithful to it. He toiled enormously when labor was necessary. When he made fun it was in the interest of his own case and his own client; but cases of law, though serious, seemed very seldom to be solemn to him. He recognized their importance in money and in the reputation of the people engaged, but in the back of his head he seemed to measure all of them by a standard outside of all those things. If he was going to be solemn it must be over something bigger than ordinary. He was fairly solemn about the income-tax case, but he seemed to consider that that involved principles that went to the root of social well-being.

Of course in such a case as this about the Cesnola antiquities, Mr. Choate gave more than an ordinarily good entertainment. There was one particularly famous allusion that came along in the course of his remarks:

"Who has been our strongest witness here? Not General di Cesnola, not Professor Braman, not Mr. Newton, but the plaintiff himself. In *The Art Amateur* article he says that the Cesnola Collection is a valuable one to the history of art. In the Cook pamphlet he declares that there is not one genuine monument of antiquity in it. Professor Hall says he never in his journeys met with one scholar who called its value into question. Why did they not meet this testimony? Where was Clarence Cook? Ah, where was the false and fleeting but not quite perjured Clarence? Why did not the plaintiff force him on the stand? Cook knew as well as Feuardent that the pamphlet was false."

"False and fleeting but not quite perjured Clarence" convulsed society.

Mr. Choate won the case for General di Cesnola.

"52 Wall St.
Monday, July 10th '82.

"DEAR GEORGE:—

" * * * I have just received your semi-annual report, which gives you an average of seventy-seven and a half, which next year I shall expect you to raise at least to *eighty*-seven and a half.

PAPA."

To the Same

"Stockbridge, 21 July '82.

"I suppose you would like to know just what everybody in the family is doing at this moment while I am writing to you. Well, Jo is chasing Grimalkin through the orchard, Mabel is practising, Effie gathering flowers in the garden, Ruluff who has got up late finishing his breakfast, Carl and George are getting ready for tennis, and Mama is having her daily chat with the butcher. The great event of the week has been Jo's discovery that he could swim alone, without any life preserver, an achievement of which he is very proud, as you may imagine. It happened yesterday at the Lake, when he took off his life preserver, and struck out for himself, and the first thing we all knew he was swimming quite well. Don't you think that is a good deal for a boy of six years old to do?

"There is great excitement just now on the subject of Bicycles. The whole village is divided between the Bicyclists and the Anti-Bicyclists and I strongly suspect that your residence here this summer has had something

to do with it. The question is whether the machines shall any longer be permitted to run on the *sidewalks.* It seems that besides Ruly's mishap in running into Mrs. Doane's baby carriage, Ellery Sedgwick, that giant performer on the wheel, came into collision with Professor Boyesen's back and made a large dent in the same, and Prof. Rood has been several times startled by riders coming up suddenly behind him and blowing whistles and ringing bells so that he had to skip quicker than suited his dignity, and Mr. Gourlie has had at least one boy come up silently behind him, and shout 'Hi! Johnny! Get out the way or I'll run over you!' (Do you know who that was?) The result has been that they have presented to the Selectmen a petition signed by almost all the swells asking them to prevent the use of Bicycles on the sidewalk. But Aleck Sedgwick is now hard at work circulating a counter petition prepared by his father, asking the Selectmen not to grant the first petition, but to let the machines run, and I have already signed it. Aleck says he is going to present it at every house in the village, and if he gets twenty signatures, as doubtless he will, the authorities will do nothing about it, and the boys will still have their rights.

"Cousin Jeannette goes down to New York today, I believe, to decide where and how they shall live next winter. Getting married seems to have had an excellent effect on Dr. De Renne. He is now hard at work in Bellevue Hospital in spite of the summer heat and that he has to leave his bride in the country, and means to get on in his profession, in the only way he can, by hard work, and sacrificing everything else to it. That is the only way any man ever got on in any business. * * *

PAPA."

(July 24.) " * * * I told you in my last letter about Aleck Sedgwick's contest with Mr. Rood about the bicycles. Aleck has got the best of the Professor. He got his counter petition to the Selectmen signed by thirty-five inhabitants, five more than had signed the professors, and that will leave the matter just where it was before they stirred in it at all. * * *

PAPA."

To His Wife

"New York, 2 Octr. 1882.

" * * * When we got out of the cars at Bay Shore on Saturday evening, a grave looking old gentleman approached me and taking me by the elbow, said 'Is this the clergyman for tomorrow?' So you see in appearance I must have gained in grace. 'NO'—said I, 'but if you are very hard up, I will do my best to serve you'—whereupon he dropped my elbow, and slid away quite irreverently as I thought. * * * "

To the Same

"New York, 24 June 1883.

" * * * I spent the whole day at home getting ready for Commencement, and am happy to say that the job is done. I have thought it all out, and nothing that can happen there can possibly disconcert me. The only thing now is to arrange my Court cases so that I can be free from embarrassment on that ground. * * *

J. H. C."

This commencement that he spent the day getting ready for was the great Butler commencement at Harvard College, and his part in it was one of the famous

parts that he played. It is one of the official duties of the Governor of Massachusetts to attend commencement at Harvard College. He goes out there with much pomp and panoply, attended by the Boston Lancers on horseback. It had come to be the practice to give the Governor of Massachusetts the degree of LL.D. at commencement unless he had it already, but when General Butler was elected governor there came a great embarrassment, for Butler was by no means well considered in Harvard councils. Being governor he had to come to commencement, but there was no law that they should give him an honorary degree, and the overseers and the corporation concluded not to do so. George Frisbie Hoare, of Worcester, an illustrious citizen, was president of the Alumni. It was his natural duty as occupant of that office to look after the governor; but his soul revolted. He tells in his autobiography what the situation was as he saw it, and what he did about it. To wit:

"It happened that the year when General Butler was Governor I was elected President of the Harvard Alumni Association. It was the custom of the College to invite the Governor to the dinner of the Alumni on Commencement day as the guest of the University and to confer upon him the degree of Doctor of Laws. It would have been my duty to preside at the dinner and to walk with him at the head of the procession, to have him seated by my side at the table, and to extend to him the courtesies of the University. I hardly knew what I ought to do. I must either walk with him and sit by his side in silence or with a formal and constrained courtesy which would in itself be almost an affront, or on the other hand, I must take his hand, salute him with cordiality as be-

comes a host on a great occasion in dealing with a distinguished guest, and converse with him as I should have conversed with other persons occupying his high place. It did not seem to me that I ought to do either, especially in the case of a man whose offence had not been merely against me, but who had made a gross and unfounded attack upon the memory of my father, and of whose personal and public character I entertained the opinion I had so often publicly expressed. Accordingly I declined to accept the office of President."

Mr. Choate being summoned as a resourceful person practised in the use of language, to come into this difficult situation, accepted the call. Of course, there was immense curiosity to see how he would deal with it. The first speaker at the Alumni Dinner is the president of the Alumni, whose place Mr. Choate occupied. What he said in opening the oratorical part of the dinner was reported in the papers as follows:

"Brethren of the Alumni:—

"I hardly know how to begin. My head swims when I look down from the giddy and somewhat dangerous elevation to which you have unwittingly raised me. Here have I been seated for the last hour between the two horns of a veritable dilemma. On the one side the president of the university, on the other his excellency the Governor of Massachusetts, whom today we welcome to the hospitalities of Harvard. As to our worthy president—you all know him—you know how he strikes—always from the shoulder—a true Harvard athlete, and how idle it is for any ordinary alumnus to contend with him. And as to his excellency, a long professional ob-

servation and some experience of him have taught me that he, too, like the president, is a safe man to let alone—

> "'*Experto credite,*
> *Quantus in clypeum assurgat, quo turbine torqueat hastam.*'

"Well, I assure you, I have found a most safe and comfortable seat. I have got along splendidly with both by agreeing exactly to everything that each of them has said. For you know the horns of a dilemma, however perilous they may be to their victims, never can come in conflict with each other. And so, directly between them, if you take care to hold on, as I have done, tight to each, you are sure to find safety and repose. '*Medio tutissimus ibis.*' I accept it as a happy omen—prophetic, let us hope, of that peace and harmony which shall govern this meeting to its close. And now, brethren, I am at a loss whether to thank you or not for the honor you have done me in calling me to preside on this occasion, for it was only when the alumni of Harvard had lost their head that they invited me to supply its place. I sincerely regret the absence from his chair today of that distinguished gentleman who would have occupied it, in deference to your wishes, expressed by your ballots. His character, his eloquence, and his life-long loyalty to Harvard would have graced and adorned the occasion, and we all lament his absence. But, though the association of the alumni is for the moment without a head, Harvard College still lives, and today is younger and fresher, more vigorous and more powerful, than ever before.

"With the pious devotion of elder children we have come up here today to attend upon our venerable Alma Mater in the hour of her annual travail, and gathered

about her couch with patient reverence to witness the birth of the latest addition to the family—those 205 new pledges of her never-failing and ever-renewing operative power. We wish them Godspeed on that journey of life which they have today so auspiciously begun. The degree conferred upon them this morning is an assurance to the world that they start in the world with more or less learning—some of them a good deal more and some of them a good deal less. But let us hope that every man of them has got and carries away with him what is far better than all their learning, and what it has been our boast to believe that Harvard has always tended to cultivate—an honest and manly character, a hatred of all shams and humbugs, an earnest purpose to make the most of themselves, and to serve their times as men and their country as good citizens and patriots.

"I think we may well congratulate each other upon the dignified and proud attitude which Harvard University now presents to the country and to the world, and that she has made more real and lasting progress in the last fifteen years than in any prior period of her history—a progress due in large measure to the hopeful wisdom and the tireless energy of President Eliot. He found here a local college whose administration, whose standard, whose system had undergone no radical change for generations; and today he presents her to the world a great and national university, and the national features and relations of Harvard are now its most striking and attractive ones. No State—not even Massachusetts—can any longer appropriate her. No city, not even Boston, can any longer claim her for its own. She belongs henceforth to the whole country, and is justly regarded at home and abroad as the one typical American uni-

versity. Perhaps we of the alumni who live in other and distant parts of the country can appreciate this change better than those of you whose lives are spent almost within the shadow of her elms. The tide is setting towards Harvard across the whole continent. Her examinations carried first to New York, and then to Cincinnati, and then to Chicago, and at last to the Pacific coast, have raised the standard of education and the quality of the schools throughout the whole country; and this influence is yearly increasing. And the diplomas of her professional schools now carry into all the States an assurance of new and increased fitness for the commencement of professional life."

He went on with further tributes to the success of President Eliot's "systems and reforms," bragging duly as befitted his office and the occasion; he made an appropriate allusion to athletics and prayerful reference to the prospects of the crew at New London the next day; he told all about the statue of John Harvard which had just been given to the college, and noted the gifts of a bust of General Bartlett and one of Emerson. Then he went on to say:

"But, brethren, I know you are all impatient to hear those you have come to hear. You cannot wait any longer, I am sure, to hear from our excellent president his annual message of comfort and distress. He will tell you all that the college in the last year has done for you, and all that you in return in the year to come are expected to do for the college. It will also be your privilege to hear from the people of Massachusetts, as represented in the person of his excellency the Governor,

who has come here today by the invitation of the president and fellows, which he accepted in deference to an ancient custom not easily to be broken. You will remember, gentlemen, that intimate and honorable alliance that has existed between the college and the state for now nearly two centuries, out of tender regard for which tradition assures us that every commencement, beginning with that of 1642, has been graced by the presence of the Governor of the Commonwealth. And for one, I hope the day may be far, very far, distant when the Governor of Massachusetts shall fail to be welcomed on commencement day within the walls of Harvard. In the name of Massachusetts, we greet him, remembering, as we may fitly remember in this place sacred to heroic deeds, that it was he who, at the call of Andrew, led the advanced guard of Massachusetts, in which certain sons of Harvard were a part, to the rescue and the relief of the besieged capital; that Lincoln set his seal upon that service by commissioning their commander as a major general of the United States; and that it did not need that diploma to prove that he bore and they followed to the front the ancient standard of Massachusetts, in the spirit of Sidney's motto, which the State has made its own—*Ense petit placidam, sub libertate quietem.* And now, gentlemen, I give you the first regular toast—'Our beloved Alma Mater,' and I propose with it the health of the head of her great family, President Eliot, who will now address you to your lasting benefit."

He writes his wife the next day from New York:

"I got through very satisfactorily yesterday at Cambridge as you have probably already seen by the papers.

It was an interesting occasion, and the greatest crowd of graduates present ever known, and all seemed to be satisfied. Butler appeared to great advantage and quite turned the tables upon the College overseers. * * * "

Two years later he served again as substitute for an absent president of the Alumni at a memorable commencement dinner. The absentee this time was Phillips Brooks, but Harvard men of great renown were present. Mr. Choate presided, and the Boston *Advertiser* of June 25, 1885, reports his remarks as follows:

After the meal had been served, Mr. Choate rapped for order, which he succeeded finally in obtaining, and said:

"Brethren of the Alumni: Now that you have banqueted upon these more substantial dainties which the Delmonico of Harvard has provided, I invite you to partake of the more delicate diet of tongues and sounds—the favorite dish at every Harvard dinner—where, of course, every alumnus expects to get his deserts. We have assembled for the two hundred and forty-ninth time to pay our vows at the shrine of our alma mater, to revel in the delights of mutual admiration, and to welcome to the commencement of actual life one hundred and seventy-five new brethren that our mother has brought forth today. Gentlemen, it is to your great misfortune, and not a little to my embarrassment, that I have been called upon on two occasions to stand here in the place of the president of your choice, and to fill the shoes of a better man, and if I shuffle awkwardly along in them, you will remember that they are several sizes too large for me, and with higher heels than I am

accustomed to wear. On a former occasion, in view of the incompatibility of sentiment among high authorities, and, by your counsel and aid, with apparent success, 'Grim visaged war' did smooth 'his wrinkled front' and peace and harmony prevailed where blood had threatened.

"But how, gentlemen, can I hope to fill your just expectations today, when you have justly counted upon the most popular of all your divines and the most fervent of all your orators, who should now be leading your council here? But Phillips Brooks, having long ago mastered all hearts at home, has gone abroad in search of new conquests. When last heard from he was doing well in very kindred company; for he was breakfasting with Gladstone, the statesman whose defeat is his mightiest victory; the scholar and the orator, who would exchange for no title the royal gift, the lustre of his own great name. But, gentlemen, I have no fears for the success of this occasion, notwithstanding the absence that we deplore, when I look around these tables and see who still are here. In the first place, you are all here. And when the sons of Harvard are all together, basking in the sunshine of each other's countenances, what need is there for the sun to shine? And then, President Eliot is here. I remember that sixteen years ago we gave him his first welcome to the seat where Quincy, Everett, Sparks, and Felton and Walker had sat before him; and today, in your names, I may thank him that he has more than redeemed the pride and promise of the earlier days. While it cannot exactly be said that he found Harvard of brick and left it marble, it can truly be said that he found it a college and has already made it a university; and let us all hope that his faithful reign over us may continue

as long as he has the strength and the courage to carry on the good work that he has in hand. And, then, the governor of the Commonwealth is here, always a most honored guest among the alumni of Harvard. Governor Winthrop attended the first commencement in 1642; and I believe that since that time there has never been any exception to the presence of the chief magistrate.

"Then, gentlemen, we are honored with the presence of the Vice President [Hendricks] of the United States. And now that Harvard has assumed such national proportions, what could be more fit than that we should welcome to our board one of the chief representatives of the national government? He comes to us, gentlemen, fresh from Yale, and if we may believe the morning papers —a very large if, I must admit—if we may believe those veracious journals, the eminent Vice President yesterday at New Haven gave utterance to two brief and pithy sentiments, one of which we shall accept with absolute, unqualified applause, and the other of which we must swallow, if at all, with a modification. 'Yale,' said he, in short and sententious words—which are the essence of great men and which we are all so fond of hearing and reporting—'Yale,' said he, 'is everywhere.' Gentlemen, I would say with this modification: Yes, Yale is everywhere, but she always finds Harvard there before her. (Applause.) Gentlemen, the rudeness of your manner broke off my sentence. She always finds Harvard there before her, or close alongside or very closely in her rear; and let us hope that her boys at New London will demonstrate the truth of that tomorrow. The other sentiment that he uttered, gentlemen, and that needs no qualification, is that public office is a public trust. Gentlemen, in saying that he stole Harvard thunder. That has been

her doctrine since the days of John Adams; and I am sure that you will be perfectly delighted to hear from this eminent man that old doctrine of ours reinforced.

"But, gentlemen, better than all the rest, once more at home in his old place among us again, is James Russell Lowell. Eight years ago, gentlemen, he left us for the public service. Men who did not know him wondered how poetry and diplomacy would work together; poetry, the science of all truth, and diplomacy that is sometimes thought to be not quite so true. Well, if you will allow me, I will explain his triumphs abroad by a wise saying of Goethe's the fitness of which, I think, you will recognize. 'Poetry,' says he, 'belongs not to the noble nor to the people, neither to king nor to peasant; it is the offspring of a true man.' Gentlemen, it is not because of the laurels that were heaped upon him abroad, not because he commanded new honor for the American scholar and the American people and not because his name will henceforth be a new bond of union between the two countries; but we learned to love him before he went away, because we knew that from the beginning he had been the fearless champion of truth and of freedom, and during every year of his absence, we have loved him the more. And so, in your names, I bid him a cordial welcome home again.

"You will also be pleased to hear that Dr. Holmes has been inspired by this interesting feature of the occasion to mount his Pegasus once more and ride out to Cambridge upon his back; and soon you will hear him strike his lyre once more in praise of his younger brother. But, gentlemen, these are not all the treasures that are in store for you. Dr. James Freeman Clarke, after twenty-five years of continuous service on the board of

overseers, from which he now retires by the edict of the constitution, will tell you frankly what he thinks about you and about them. And then, to the class of 1835, on the fiftieth year of its graduation, the crowning honors of this day belong, and I am pleased to say that their chosen spokesman, although pretending to be for the moment an invalid—he wrote to me that he was no better than he should be—is here to speak for them. For us who have been coming up to Cambridge for the last thirty years, I would like to know what Harvard commencement without Judge Hoar would be? Who can forget the quips and cranks and wanton wiles with which he has beguiled many an hour that promised to be dull; and how he has, I will not say blighted, but dimmed some of our lighter moments by words of wisdom and power. So in your name I say: 'Long life and a green old age to Judge Hoar and all the members of the class of 1835.'

"Then, gentlemen, all these new doctors of law: why, Harvard returning to an ancient custom, has been graduating them out of her own sons, and today it may truly be said that the university has been growing rich and strong *by degrees*. You will be glad to hear all of them speak for themselves. Of one of them, Dr. Carter, I will say, from intimate knowledge, that he leads us gallantly at the bar of New York, and all his associates rejoice in his leadership. He has recently rendered a signal service to the jurisprudence of that great state by contributing more than any other man to the defeat of a code which threatened to involve all the settled law of the community in confusion and contempt.

"Well, now, gentlemen, as I have told you who are to speak to you, I should sit down. I believe, however,

it is usual for the presiding officer to recall any startling events in the history of the college. Gentlemen, there have been none. The petition of the undergraduates for what they called a fuller civil and religious liberty, in being relieved from compulsory attendance on morning prayers, was denied. The answer of the overseers was well conceived—that, in obedience to the settled rules and regulations of the college, of which that was one, they would find an all sufficient liberty. That idea was not original with them; they borrowed it from Mr. Lowell, when he said and sung in his sonnet upon the reformers:—

> "'Who yet have not the one great lesson learned
> That grows in leaves,
> Tides in the mighty seas,
> And in the stars eternally hath burned,
> That only full obedience is free.'

"The only other incident in the history of the year is the successful effort that has been made in digging out the history of John Harvard; and about that the president of the college will tell you in good time—who he was, whence he came, and where he got the fortune and the library which he contributed, along with his melodious name, to the college. He gave half of all he had, gentlemen, and out of that modest fountain what vast results have flowed. May no red-handed vandal of an undergraduate ever desecrate his statue that stands at the head of the Delta!

"And now, brethren, would you have your statue crowned? Would you, too, become immortal? Would you identify your names with the glory of the college? The way is open and easy. Follow exactly the example

of the founder; give one equal half of all you are worth to the college, and if you wish to enjoy your own immortality, do it tomorrow, while you are alive. If you shrink from that, die at once and give it to them now. Other people, possibly, will rise up and call you blessed, whatever your own may do; so you will relieve the president of more than half the labors of his office.

"Gentlemen, I did want to say a word about another matter, the elective system, but President Eliot tells me I had better not. He says that the board of overseers of the college are incubating on that question, and that there is no telling what they may hatch out. Now don't let us disturb them, gentlemen, at any rate, while they are on the nest; we might crack the shell and then the whole work would have to be done over again. And so, gentlemen, as you now seem to be in good mood, let me say one word more about this elective system. I don't care how they settle it; I hope they will give us the means of sustaining and fortifying their decision when they make it. We alumni at a distance from the college are often stung to indignation by the attacks that are made upon us by the representatives of other colleges. One would think by the way they talk down there at Princeton that Harvard was going to the everlasting bow-wows; that the fountains of learning were being undermined and broken up; that, as Mr. Lowell said again:—

> "'The Anglo-Saxondom's idee's a-breakin' 'em to pieces,
> An' thet idee's thet every mon doos just wut he
> damn pleases.'

"I suppose the truth about the elective system is that the world moves on and colleges move with it. In Cotton Mather's time, when he said that the sole object of the

foundation of a college was to furnish a good supply of godly ministers for the provinces, it was well enough to feed them on Latin and Greek only. Now that young men when they go out into the world have everything to do about taking part in all the activities of life, for one I say let them have the chance to learn here anything they can possibly want to. And I hope that our president will persevere in one direction at least until he can say truly that whatever is worth learning can be taught well at Harvard. This is well expressed again in an idea of Mr. Lowell's, who always has ideas enough, if divided, to go around even among us:—

> "'New occasions teach new duties;
> Time makes ancient good uncouth;
> They must upward still, and onward,
> Who would keep abreast of truth.'

"Now, gentlemen, let me say a single word before I sit down. I hope you will be very patient with all the other speakers. I advise them, as the hour is late and the afternoon is short and there are a great many of them in number, each to put a good deal of shortening in his cake, which I have omitted. That is a rule that never is applied to the presiding officer, and I am afraid it never will be.

"Now, gentlemen, I give you the health of President Eliot. Long life to him!"

Next to his family in Mr. Choate's heart was Harvard College. He belonged to it, and it belonged to him. He always went to commencement when he could, and to baseball games and boat-races, and even football games when their day came. When he got to Cambridge and

spoke at commencement dinners, he was talking to his own, and his own always received him with affection and applause. In New York for half a century or more he was a mainstay of the Harvard Club, and when it came to its fiftieth anniversary he was able out of his own recollections to tell its whole history. When the question came up of electing to the board of overseers persons not residents of Massachusetts, who should represent the alumni living in other States, Mr. Choate was heartily for it, and the Harvard *Register*, of March, 1880, reported the speech he made on that subject at the Harvard dinner that year in New York. The habitual date in older and wetter days of the New York Harvard dinner was the 21st of February, that the diners might have a holiday for purposes of restoration and further social discourse. Mr. Choate always went to the Harvard dinners when he could, and usually he could, and always if he went he spoke, and this is what he said at the dinner in 1880:

"Mr. President and Gentlemen:—You have yourself treated the subject of the relations of the alumni, here and elsewhere, with such a sensitive delicacy of touch, that I hardly dare to enter upon it. I am a very bad man indeed to handle a delicate subject. I have had one warning experience which has prevented me from entering upon a discussion of anything that appeals to the sensitive feelings of an audience. I was invited, on one occasion, to deliver an address to the graduating class of a medical school in this city; and I did what I could to treat my subject in what seemed to me its proper relations, and supposed I had succeeded. The next morning, however, I received an anonymous letter, written in a disguised but evidently a feminine hand,

in which the writer said that she had attended the sessions of the Black Crook, and all the other liberal entertainments that had been given in this city, but she had never heard anything anywhere that savored so strongly the principles of the Broad Church as my address. Well, I accepted the theological compliment, not for myself alone, but because it showed how justly I had profited by the ecclesiastical teachings to which I had so long been subjected. Now, Mr. President, you have treated this subject, as I understood you, in a somewhat jocular vein. Your geographical humor carried everything before it across the whole breadth of the continent. But when you reached the isothermal line, I confess I failed to follow the thread of your argument. Now, I must admit that I have not been entirely convinced by the solid argument of the president of the University. I do not see yet that the whole wisdom of the alumni of the College, in whose hands is vested the suffrage for its government, is all collected around Beacon Hill. I agree that the hub is there, but not the whole wheel. All the *felloes* that amount to anything are evidently on the outside of the circle. Who can dispute the justice of the demand of the alumni outside of Massachusetts, constituting, as I believe, a clear majority of all the surviving graduates, and of the friends of the three hundred out of eight hundred undergraduates on the present annual catalogue, who hail from other States—that they are entitled to at least one representative in the Board of Overseers? It is a reasonable demand, which they have pressed modestly but firmly, and which they will continue to press in the same spirit until it shall be accorded to them.

"But I will not encumber the discussion with any

more of those trifling and mirthful arguments with which you, sir, and the president of the University, have already illustrated it, in the warm encounter of your wits. I will try to give one or two serious reasons why I think this demand is no more than fair.

"In the first place, we, the non-resident alumni of the College, occupy exactly the same relation to the resident brethren as that which the Prodigal Son in the parable bore to his more favored but less deserving brother at home. We fill that rôle exactly. We took our little portion of the college heritage, and carried it into a far country, leaving behind us the luscious viands which our more fortunate brethren at the old homestead could still feed upon; and it must be confessed that we have had, in a large measure, to put up with the comparative husks on which the litters of other colleges are fed at their university troughs. We have had to content ourselves with original researches into the secrets of Nature far less striking than those conducted by Professor Agassiz. In the waters of the Atlantic, along the coast of Barnegat, and on the shore of Long Island, we have had to do our own deep-sea dredging on our own hook. So, too, instead of the robust ratiocinations of Professor Hedge, which have so long fortified the minds of the resident alumni, we have had to get along with far feebler and more inconsequential logic. And when we have fallen into physical disorders, instead of enjoying the luxury of being treated by the skilful hand of Dr. Morrill Wyman, we have had to submit ourselves to the experiments of the more remote and alien faculty which other colleges afford us. Now, as all these hardships have been self-imposed, and voluntarily incurred, we have come to think, from our reading of the Scripture and from its

exposition in the pulpits under whose droppings we sit, that we, the prodigal brethren, are a little more deserving than the youths who have stayed at home, and devoted themselves more closely to the *almus pater* and the *alma mater*. So you must not think it strange, Mr. President, that when we return we think it no more than right that the fatted calf should be killed for us; and, as we have heard that there are nowhere any fatter calves than in the Board of Overseers, we supposed that it was not asking too much that one of them should be killed on our account.

"Then, there are other equally serious and convincing reasons why our cause should prevail. One is, that all of the alumni outside of Massachusetts, from the class of 1830, to which you, Mr. President, belonged, down to those of the latest years, are younger than men of the same grade who remain in Massachusetts, and, because they are younger, they can render better service, man for man; that is, they are younger to the cubic foot than those who remain on the native soil without transplanting. I don't know exactly how to account for it, unless it be that in those ancient places where human beings have been for so many centuries accustomed to be born and bred, a certain mysterious crust of antiquity forms over the human frame, which nothing but transplanting can help them to break through. But the fact anyhow is clearly so. I might give a personal illustration or two from among our own members. Take, for instance, our distinguished district judge of this city.* He spent half of his life in the ancient city of Salem, and then came to New York older by twenty years than he is today, after fifteen years of added labor, in which

* His brother William.

he has won all the laurels of the profession, and attained to the judicial crown. Or you may take our distinguished representative on the outskirts of the Board of Overseers. Why, I remember, twenty-eight years ago, when I graduated, we had our class supper at Parker's in Boston, and I was sent into the adjoining hall with a bottle of wine to extend our congratulations to the class of 1832, then holding the twentieth anniversary of its graduation. There he was, older and more venerable apparently by many times than he is today. Everybody knows that, thanks to the vigorous atmosphere and healthful life of New York, by which he has benefited now for forty years, he is today younger himself, and has younger children, than any other graduate of the same age in any part of the country. There is another serious reason that strikes my mind; and that is, that the alumni here are nearer the University, and can get to the meetings of the Board more quickly, than those who live in the neighboring towns about Boston. Why, for us, but not for them, time and space have been entirely annihilated by the steamboat, the railroad, the telephone, and the telegraph; and, while the Salem man or the Plymouth man is pulling on his boots, the Harvard graduate from New York has already traversed the Sound, and reached the city of Boston. I appeal to yourselves, if it is not the universal experience, that when we set out to visit Boston we arrive in the city at the very peep of day, in season to catch the average Bostonian not yet out of bed. Another reason is, that we know more about the University, and take a more lively interest in it, than the men who live in its immediate vicinity. When, I should like to know, in the whole two hundred and forty years of the history of Harvard College, would you have been able to get up in the city of Boston a Harvard din-

ner with such spirit and enthusiasm as have been manifested here tonight?

"'Tis distance lends enchantment to the view,
And robes the College in her *crimson* hue.'

"Instead of getting at the bottom facts,—instead of knowing all the trouble and the trials, the dissensions and the difficulties, that prevail under the serene shadow of her classic elms,—we get our ideas of college matters through the rose-colored representations of the President of the University, in his reports which he gives us in these annual visits; and of course that is a very different thing.

"Gentlemen, these are a few of the reasons which I hope will address themselves to the wisdom of the Legislature in considering the bill to do away with the ineligibility of non-residents; and I trust that that bill may now be put upon its passage. Finally, unless someone can give better reasons—moral, geographical, or political —I hope you will content yourselves with these. And this, sir, let me say in conclusion: that however this little question may be decided, whether we shall be numbered with the elect, or remain as we are, we shall continue to love and labor for the honor of our dear *alma mater* all the same; for from her we have drawn all our best inspirations, and to her our best efforts will ever be due."

To His Daughter in Europe

"University Club, 370 Fifth Av,
Sunday evening, July 8th, 1883.

"My Well-Beloved Effie:

"My last day in New York, and tomorrow I start for my long-promised vacation. What a luxury it will

be to me to escape from the city, and to roll on the grass, ride over the hills, and float in Stockbridge bowl. We have had a fiery week since last Sunday, but today the change has come, as it always does. Yesterday the Thermometer in the shade was 97, and today as I write it is only 60 with floods of cold rain coming down. Mr. Southmayd came down from Stockbridge Friday, and he said that as he got on to the train George & Mama, Grandma Choate and George Gersdorff got off, arriving from Boston. But he said 'I didn't tell her I was coming down to give you a chance to come up.' Dear old Southmayd! He is the same delight as ever. He often tells me how ridiculous I have been to let you go abroad. 'Enlarge her mind! Pshaw! Promote her knowledge of French! Humbug!' If he only had the bringing of you up, he'd make a woman of you, etc. etc. So you see, my darling, your papa may be a great mistake after all. * * *

"I hope, my dear girl, that you are enjoying every moment, and making the most of the splendid advantages you are having this summer. Why, before I went to College I had hardly been out of Salem in my whole life, and here you are, at fourteen, across the Atlantic, and visiting all the great capitals and seeing the wonders of the world. I hope you will see everything in Paris. It will be so delightful to remember afterwards, and add such a charm to all your reading. * * *

"Are you growing tall? Are you growing fat? I will not ask you if you are growing handsome.

PAPA."

To the Same

"Stockbridge, July 12th, 1883.

"The reason I didn't write you by today's (Thursday's) steamer was that I had nothing else to do. When I was

driven to death in New York, I could always find time to write you by every steamer, but I came up here on Monday, and put on my vacation laziness, and so you must expect me often to miss. * * *

"Our house in S. is just full enough to suit me. Aunt C. has your room, Grandma S. has kindly given up hers to Grandma C. who did not wish to sleep down stairs but could not well go further up. Mabel & Jo have their own rooms, Grandma S. has Ruly's and George his own, while the DeG. boys are together in the other front upper room. * * *

PAPA."

To the Same

(August 29.) " * * * Mama sits by my side, carousing over last night's *Evening Post*. She is very dignified, and still rules me, as she always did with a rod of iron. Sometimes she pretends to let me have my own way or think my own thoughts *for a few minutes*, but then she draws the reins tight again, and I have to gee as she turns. Still she is the same dear old thing as when you went away, and such tyranny who would not be proud to bear? Hem! ! !

"The —— are all well. P. S. *They wear the same clothes as last year, and George Lawrence the same hat.* There!

"Isn't this nonsense enough for one letter? Read Mama's of same date for the solid facts!

Ever your fond PAPA."

Of the sudden death of Ruluff Choate on April 5, 1884, the *Sun* told the story as follows:

"Ruluff Sterling Choate, the eldest son of Mr. Joseph H. Choate, died suddenly on Saturday evening at his

father's residence, 50 West Forty-seventh Street. He was nineteen years old last September, and was a member of the Freshman Class of Harvard College.

"He came home on Wednesday last to spend the vacation between the winter and spring terms, and was to have returned to college next Friday. He seemed to be in the very best of health. On Friday evening he attended the concert of the Hasty Pudding Club, and he was down town the greater part of the next day. He took dinner with the family on Saturday evening, and was in very cheerful spirits. When the meal was over, and while the family were still sitting at the table, Mr. Choate asked his son to take a message to Dr. William H. Draper, whose residence is a short distance away, at 19 East Forty-seventh Street. It was then half-past seven oclock. The young man went to Dr. Draper's, saw him, delivered the message and, returning, resumed his seat at the table. A few minutes later he put his hand to his head and complained of a violent pain. Then he was seized with nausea, and he soon afterward lost consciousness. He was carried to a sofa in the parlor, and word was hurriedly sent to Dr. Draper. He went to the house and found the young man who had parted from him in full health a few moments before lying at the point of death. Nothing could be done for him. He lived only three minutes after Dr. Draper's arrival. The entire attack had lasted only fifteen minutes.

"Dr. Draper said yesterday that the young man had unquestionably died of apoplexy, and that it was a very unusual case. He was six feet, two inches in height, and slender. He was bright and clever, and of a kindly nature. He had passed most of his life in New York, except last year, when he studied German in Hanover."

To His Wife

"New York, June 1884.

" * * * I am afraid that T. W. found nine hours of me in close contact altogether too much for him, for, except in your company I find it quite out of the question to keep my freshness so long with any one. * * * "

To the Same

"New York, 12 April 1885.

" * * * We are variously engaged at this moment after our Sunday tea. Carl is drumming on the piano; Mabel is reading 'Peveril of the Peak' and George is resting from a seven hours' pull that I have given him today in Virgil, reading the whole of the 4th book which he was bound to have ready tomorrow and seemed to have neglected. * * *

"Not having had our usual ride today, Geo. and I took a sprint in the Park on foot before supper. * * * "

(April 15.) " * * * Mr. Carter and I are expecting every day to try the Winans case, but it has not yet come on. When it does I expect that it will set the reporters all agog."

To the Same

"New York, 17 June '85.

"I am afraid you think me altogether too reticent, but in truth this is the very busiest week of my whole year,—in Court from Monday morning to Friday night and cramming all the rest of the time. Tomorrow night I have to go to Syracuse to argue a case and back the next night."

The natural result of having more to do than even his astonishing powers of work could readily handle appears in the letter to his wife that follows, written, as were all the letters that are quoted here, by his own hand and pen:

(June 16.) "You write to me to do things instantly as though my time was all at my own command, when, I assure you, until next Saturday morning, I haven't a moment to breathe and can't get one. As to settling the water question with Mr. Field, in the first place as he is only in town from 12 to 3, and I am in Court every day from 11 to 4, or from 9 to 6, it is impossible for me to see him, and if I could I have no idea that I could arrange anything with him. The paper that I drew and that all the rest signed is perfectly fair and simple, and as he won't sign that I don't believe he will any in substance like it.

"You can give Mr. Anderson any directions you please about the Adams House. I never wrote to him nor had any idea of doing so. Today I shall be in Court all day, tomorrow at Syracuse, Saturday Field will not be in town. The whole difficulty comes from your expecting a little too much at my hands. It isn't possible for one man to do everything, and perhaps it is well that something should happen to relieve me of this infinite bore of building. Probably the whole scheme is a great mistake.

"George & Mr. Pinney are plodding along and seem to me to be doing considerable. You see there is another thing to absorb my thoughts, to say nothing of the Commencement dinner and infinite law cases.

"Don't think me out of patience. It is simply sheer inability to accomplish the impossible.

"I shall be at the train for you on Monday at seven, and we shall be delighted to see you, and I am thankful that you will take the responsibility of the wedding present."

(June 18.) "I wrote you hastily this morning, throwing out many a flag of distress, I dare say, but it seemed for the moment that I was being drawn and quartered in all directions at once."

The "infinite bore of building" that he speaks of relates to the new house on the west slope of Prospect Hill in Stockbridge, that was being built for him by McKim, Mead & White, and was finished in 1886.

To His Wife

"New York, Sept. 30, 1885.

"I have been in Court all day listening to Mr. Root who made a first rate argument, and tomorrow I shall have the pleasure of hearing Genl. Butler, from the rising of the sun to the going down thereof. It is quite a new sensation and a rare pleasure to me to sit and listen without having a word to say myself. But the Court limited us to two on a side, and I insisted that Mr. Evarts and Mr. Root should do the talking for us. * * * "

(Monday morning.) "I showed Prest. Eliot's letter to Mr. Carter, who seemed very much pleased, and said that it was the best possible memorial* for Ruluff. * * * "

* The memorial was a scholarship in Harvard College.

(October 1.) "We have been hearing Genl. Butler all day in the Hoyt case but he did us no damage. Mr. Brearley came to see me this morning to inquire about one or two people. He is in high spirits and his school will certainly be full. In fact, he will have offers to refuse. * * *

J. H. C."

Mr. Brearley's school for girls, in which Mr. Choate was interested—Mrs. Choate still more so—duly began in the fall of '85 and prospered as expected. Mr. Samuel Brearley, who came from Harvard College to be its first master, and indeed its founder, died unexpectedly within a year or two, but by the connivance of President Eliot another Harvard scholar, James G. Croswell, came to take his place, and under his leadership the school went on with increasing usefulness and prosperity. It housed itself on East 45th Street and there lived for some years, moving presently into a building of its own on West 44th Street, where it stayed until 1915, when it moved up to Park Avenue and 61st Street. The next year the head master, Mr. Croswell, died, but the Brearley School still goes on as an institution sufficiently established to survive the vicissitudes and changes that all schools experience and must expect.

To His Daughter in Cambridge

"50 West 47th Street,
Sunday eve'g. Jan. 23 1887.

"My Dearest Effie:—

"Did you ever suppose that your papa would ever be too busy to write to *you?* But so it seems to have been since you have been gone. I have been trying a

long and hard jury case in Brooklyn which kept me early and late until yesterday, and now that it is over, for the first time I feel quite free. We all think it is high time for you to be thinking of coming home, and as nobody seems likely to be free to come for you, I want you to arrange to come on Friday by either the half past nine or the eleven o'clock train, and if Carl or George can see you safely deposited in a drawing room car, and I meet you on arrival, you cannot help coming safely. George says you *must* be here for his birthday dinner which comes on Friday and Daisy Wells has invited you and Mabel to a large lunch party on Saturday, which no doubt you will like to attend. I am sure that you must be having a glorious visit, but you know the best things must come to an end at last.

"To-morrow is my own birthday and I shall reach the ripe age of fifty-five. Ask Grandma what time in the day I was born. I have always wanted to find out and always forgotten to ask her. Her own birthday comes on Tuesday, and I want you to get some handsome flowers for her, to put near her birthday cake, which with its 82 candles will certainly make a great show. I wish that I could be with you to celebrate so important an event. You are so much like your dear Grandma that I have always felt you were sure to attain a great old age like hers, and if you do I hope you will be as sweet and bright and lovely as she is now. But don't forget the flowers, and good ones too, and enclosed you will find ten dollars, of which you may use as much as you think fit for the purpose.

"Last night we all went to Daly's to see the 'Taming of the Shrew' which is being very well done there, and enjoyed it very much. All but Jo, who went to the opera

in the afternoon with the Woodwards and seemed to think he had greatly the advantage of us, but the play was very nice.

"Are you ready to go to school again when you come back? I hope at any rate that you will soon be well enough to do so.

"Everybody is well and all in a hurry to see you.

Ever your loving,

PAPA."

To His Wife

"New York, 6 Decr. 1887.

"The Banque case fairly commenced this morning and from all present indications promises to last till Christmas, so you will not expect anything from me in the meantime except the most spasmodic utterances. * * * "

Mr. William V. Rowe, who probably knows more about Mr. Choate's law cases than any one else who has survived them, describes the Banque case as a controversy between the Banque Franco-Egyptienne of Paris and various leading New York bankers over the sale of the old New York, Boston and Montreal bonds, and speaks of it as "the greatest action for deceit (in the form of a suit in equity for an accounting) ever brought in New York."

To His Wife

"New York, 21 Decr. 1887.

"I got through my first day's argument today, talking from 11 to 4, without the least fatigue, and only found the day too short—and tomorrow I shall finish, but of course after the excitement is over the reaction will come, and I shall doubtless feel very tired. So I shall prize

my holidays very much—*with nothing whatever to do in the way of business.* As I said to the Court this morning, it was at the summer solstice when the daylight lasted fifteen hours that I began the serious preparation on this case, and now at the winter solstice I am assigned to the two shortest days of the year to sum it up. Mr. Root, Mr. Tweed and Mr. Sweet have nobly done their parts, & we shall win. * * * "

(December 22.) "I am really free from the load which I have been carrying for the last six months. My argument ended at ¼ past four this afternoon. I should gladly have gotten rid of this load, but I inherited it from the old firm and I could not shrink from it. * * *

"Everybody in our case is completely tired out, but I believe I am wiser than the rest to retreat to the country. I shall come up (D. V.) on the Saturday morning train. * * *

"Tonight is the New England Dinner, and I am so delighted that I am not in that. Do you remember how I served there for 25 years in succession? * * * "

Being tired out he was glad to miss the annual New England dinner for once, but there were few institutions in New York to which his attachment had been so strong, or his labors for it more constant. He was several times president of the New England Society, attended all its dinners for twenty-five years and spoke at most of them, and kept on going and speaking for many years after the date of the letter above.

The dinners were held on Forefathers' Day, the 22d of December. When the New England Society started in Brooklyn in 1880, their dinner was on December 21.

Mr. Choate went to it as the messenger from the parent society of New York, and told them about the first New England dinner he went to. His whole discourse is as good an example as another of his manner and the substance of his remarks on these occasions.

"Mr. President and Gentlemen: I have been sent here tonight by your parent society, The New England Society of New York, to welcome into existence this infant prodigy, which has grown to full manhood, or womanhood, in the first night of its existence. Why, you have accomplished as much in one twenty-four hours as we in the deadly struggle of the seventy-five years of our career. And this too in Brooklyn—the dormitory of New York. Well, it shows how much good there is in sleep. It shows how true those eulogies are which all the poets have exhausted upon sleep:

> " 'Sleep that knits up the ravel'd sleeve of care,
> The death of each day's life, sore labor's bath,
> Balm of hurt minds, great nature's second course,
> Chief nourisher in life's feast.'

"And yet, gentlemen, it gives a death-blow to some of the esteem and consideration in which we on the other side of the river have been in the habit of holding our brethren and neighbors of Brooklyn. Seeing you as we have, year after year for the last seventy-five years, coming as modest partakers of the viands that we set before you on the other side of the river, we had come to look upon you as modest, unassuming, self-denying descendants of the Pilgrims and worthy followers in their footsteps. But this declaration of independence of yours puts entirely a new face upon the situation. Where is

your long asserted modesty? Why, the most sublime instance that I have ever known or heard of, of a modest, self-denying descendant of the sons of the Pilgrims was exhibited by a Brooklynite. He has since become a great Congregational clergyman. I name no names, for names are always invidious. It was in his younger days, after he had completed his course of instruction and was ready to take upon himself the sacred orders, and he presented himself before the dignified conference that was to pass upon his qualifications, and the moderator put to him that great orthodox question, the text of which every candidate was expected to stand: 'Sir,' said the moderator, 'are you willing to be saved by consenting to be damned for the glory of God?' And the sublime answer that he gave justified the great reputation that he afterwards attained. 'No,' said he, 'Mr. Moderator, but I am perfectly willing that you should be!'

"Another thing that we notice, Mr. President, is that you have selected the 21st of December for your celebration instead of the 22nd. General Sherman has been charitable enough to suppose that it is because there is a doubt on which of these days the Pilgrims landed. We believe, on the contrary, that you have selected the 21st simply because we have selected the 22nd, or possibly at this late hour of the evening we may be excused, not for considering it doubtful whether they landed on the 21st or 22nd, but for firmly believing that they landed on both days. Gentlemen, it is a very serious question—this complication and reduplication of New England festivals. The wheels of the Federal Government, as you perceive, must necessarily be stopped until both these days are celebrated. For one I believe that the great welfare of this people would be promoted if the

event could be celebrated on all the 365 days of the year. If not only the President and the Secretary of State, and the General of the armies, but all the holders of office from them down to the lowest tidewaiter could be fed every day upon your simple fare of pork and beans and codfish and Indian pudding—why it would solve immediately that great problem of civil service reform which has vexed so much the patience of this Administration and would give a free course over which their successors might gloriously win. But it is a great thing to have two dinners only if we cannot have the three hundred and sixty-five. It is a splendid thing to bring General Sherman here, whose little army has now only to fight Indians, that he may learn at the shrine of Miles Standish, who had nobody but Indians to fight, and put them all to rout with his little trained band of thirteen men. You may depend upon it that on Thursday morning at any rate the Secretary of State will return to his great duties at Washington, after partaking of both these festivals, a fatter and a better man.

"Mr. President, one of the most interesting reflections that occurs to any thoughtful mind on gazing around upon such a company as this is to compare these sleek, well fed, self-satisfied and mutually contented men with what they were when they started out from New England. Archimedes, brandishing his lever, said if you could give him a place to stand on, he would move the world, and so the genuine emigrant from New England says: 'Give me but room for my feet, and plenty of elbow room, and I will make all the world about me mine.' It is told traditionally—I believe it is true—of one of the first pioneers from New England to this good old City of Brooklyn that when he presented his letters at

the counting room at which he sought admission, the lordly proprietor of the establishment asked him, 'Why, what in the world are all you Yankee boys coming here for?' 'Sir,' said he, with that modest assurance that marked the whole tribe, 'we are coming to attend to your business, to marry your daughters and take charge of your estate.' I believe, sir, that the descendants of that hero are still here and still have that estate in charge, and if not they, why all these gentlemen about you represent the same personal application of that experience and of that rule.

"Now, gentlemen, on behalf of the parent society that I represent, I wish you Godspeed. You cannot do better than thus as you have begun, to eat and drink your way back to Plymouth Rock. It is the true way to celebrate the memory of the Pilgrim Fathers. Do not have any long orations. They nearly killed the parent society; and let me tell you a very interesting reminiscence, for one who has eaten twenty-five New England dinners in succession at the New York table, may indulge in one reminiscence. It was the first celebration that I ever attended twenty-five years ago, in the City of New York, and we had an oration and the very narration of what there occurred shows what wondrous progress the principles of the Pilgrims have made in the last quarter of a century. It was in the old Church of the Puritans, on Union Square, that has given place to that palace of art that is known by the name of Tiffany's. There came one of the great and shining lights of Boston's intellect, Dr. Holmes, giving us the best exposition that he could give of what my friend, Mr. Hale, describes as Boston intensity, overshadowed with Boston conservatism. He appealed to them, to the white blood that

ran in their veins, to stand by their white brethren whenever there should come the conflict of races in this land. And I remember the cold chill that ran through the assembled company of the sons and daughters of New England when he took his seat. But, fortunately, there rose up after him that grand old chip of Plymouth Rock, stern old John Pierrepont, who had himself suffered persecution in the very city of Boston of which we are so proud, and as those glowing stanzas fell from his lips he fired the hearts of that congregation with his prophetic utterances. I remember the stanza with which he closed, which no one who heard him, it seemed to me, could ever forget, when he invoked the aid of the Almighty to inspire the hearts of the sons and daughters of the Pilgrims to be true to their fathers. Said he:

> "'Oh, thou Holy One, and just,
> Thou who wast the Pilgrims' trust,
> Thou who watchest o'er their dust
> By the moaning sea;
> By their conflicts, toils, and cares,
> By their perils and their prayers,
> By their ashes, make their heirs
> True to them and Thee.'

"The cold fatalism of the orator was lost and forgotten, but that burning prophecy of the poet lives today. We see its fruits in a land redeemed from slavery, in a nation starting on an imperishable career of glory, where equal liberty and equal law are secure to all men of all color and of every race."

Four years earlier President Grant, then nearing the close of his second term, was a guest of the New York New Englanders at their dinner, and Mr. Choate was

pushed to the front to respond, apparently, to the toast "The Pilgrim Fathers." His remarks will still bear reading, which, to be sure, is true of his remarks in general. He said, as the next morning's paper reported him:

"I hardly know, Mr. President, to what I owe it that I have been selected to speak to this memorial toast, which was always wont to be assigned to some learned divine or some renowned statesman. Possibly it is to the fact that now for twenty-one successive years I have faithfully partaken of the coarse fare of the Pilgrims as reproduced by Stetson or Delmonico at these annual dinners. Certainly a majority so fairly earned by such devout diet and digestion might have a worse reward. Shakespeare tells us of those who 'have been at a great feast of languages, and stolen the scraps,' and I can assure you that crumbs thus pilfered from your own tables are all you will get from me. Seriously, however, these pious banquets afford no mean field for the study of human nature, and no man in the country, however exalted his station, can claim to have completely finished his education until he has attended at least one New England dinner in New York.

"It was doubtless this sage reflection that has led hither tonight the august footsteps of the President of the United States. It was not enough for him to have led grand armies, and to have achieved magnificent victories—to have first saved and then governed a nation of forty millions of freemen—unless he could once kneel at the shrine of the Pilgrims and study his own great trade of war with Capt. Miles Standish, and the art of free government with Winthrop and Bradford; and even he, I think, can learn something here, and may

possibly find by the contemplation of the occasion and the company, some reason for revising, not to say correcting, his own favorite views as recently expounded. In pressing upon the country the urgent necessity for a speedy return to the use of hard money, of which he has been the proper and consistent champion, he has been pleased to represent inflation as the source of unmixed evil to the people of the United States, and that there is no health or happiness in it. But he has now only to look before him to behold a striking argument to the contrary, and to see two or three hundred representative men of the great commercial metropolis who have been undergoing for three mortal hours a systematic and forced process of inflation, and who for all that and because of all that are as happy and as healthy as the lot of humanity will admit. These well-rounded forms, this sea of upturned faces, so beaming and so smiling, all belong to practical inflationists for the time being who would have scouted and stoutly resisted any attempt at contraction while engaged at these tables. So, too, he has lost no opportunity to declare that an irredeemable currency is inconsistent with true financial credit and prosperity, but here before him is a great company, mostly of merchants, filled almost to overflowing with the soft currency of Delmonico, which is certainly irredeemable, and who can doubt their credit or their prosperity?

"But I must not lose sight of the grand and sober theme of the hour, which is no less than Plymouth Rock —that historic bowlder which the far-reaching scheme of Providence, in shaping the destiny of nations, transported in some remote glacial period from the frozen regions of the North to the harbor of Plymouth, to be

the stepping-stone of the Pilgrims to glory. My historical studies, Mr. President, have led me to discover a certain likeness of character in all the rocks about which for any reason the sentiments or the feelings of mankind have clustered. They are few in number. You can easily count them on the fingers of one hand. Rome had her Tarpeian Rock, England the matchless Gibraltar, Ireland, which must always have something, has her shamrock, and we of New England the imperishable stone, about which, in imagination, we gather tonight, and I think the comparison is obvious between our own and each of theirs. All strangers who arrive at Rome are found flocking next morning to the summit of the Capitoline Hill to gaze upon that rocky ridge, so dear to the dreams of the school-boy, within whose recesses the fabled Tarpeia still sits, buried beneath the avalanche of gold and jewels with which the Sabines rewarded her treachery, and from whose top the Romans hurled to destruction the victims of their national vengeance. Certainly our stone itself is far more precious than the gold and pearls of Tarpeia, and who can deny that the high-strung morality of New England has used it for a similar purpose? There is this difference, to be sure, that since Plymouth Rock came up by the roots and was transplanted into the public square of the village, New England hurls it bodily at those whom she condemns and every true New Englander has armed himself with a chip of it, to fling in the faces of all who savor of ungodliness, or otherwise arouse his saintly wrath—but whether dashed in pieces at the foot of the rock, or crushed beneath it, is all the same to the victim.

"And then, as for Gibraltar, the darling treasure of the British heart, honeycombed with batteries, and bris-

tling with great guns from sea to sky, against which all the enemies of England in turn have butted their heads in vain, and ended by saluting it in honor, how true a picture of the history of our own more modest rock, against which the prejudices, the jealousies, and the hatreds of every hostile interest and sentiment in the whole country used to batter themselves, to no purpose, but at last, in the healing of hereditary strifes and sectional discords, they have joined hands in applauding it, and now cherish it with pious solicitude as a national treasure. They once even threatened to shut it out in the cold, but now from all quarters they come flocking in on the 22nd of December to warm their hearts and hands in the blaze of its brightening glory.

"And last of all, the shamrock—shall we not, now that we are all here alone and no reporters are present—shall we not, whispering in each other's ears, confess that even Plymouth Rock has a faint shadow of a shade of sham about it? Now that school is out we don't mind owning that we can give our friends of St. Patrick's a heavy discount at the game of brag and beat them on their own terms. But enough of this rocky subject. Hugh Miller's study of the rocks is said to have made him mad. I hope that this little study of mine in the same direction will have had no such effect on any of you.

"But I must return to the subject of the toast—the day we celebrate. I have sometimes wondered, Mr. President, how the sons of the Pilgrims, if brought back in the eighth generation, after the lapse of 250 years, to undergo the perils and hardships of that wintry voyage in the *Mayflower*, and the deadly sufferings that followed the landing, would have stood it all. The present officers of the society may serve as examples. Imagine, for in-

stance, Gentlemen, our worthy retiring President, Mr. Bailey, carried back over the gulf of time, appearing as one of the armed followers of Capt. Standish in his monthly raid against the surrounding savages, or measuring out, with Elder Brewster, with the acquired skill of a Commissioner of Charities, the scanty rations among the new immigrants, the thermometer at fifteen degrees below zero, and no shelter anywhere but the *Mayflower* and the rock. You would have to put on him a steeple-crowned hat, of course, to give him anything of a churchly or religious look, but so transformed and translated, who shall say but that he would not have made a very passable Pilgrim? And then Col. Borden, our President elect, I owe him one and am glad before he mounts the throne to pay it off in kind. I understand he said, when informed of his election as President of this Society that if they expected him to make long speeches without saying anything, they had got the wrong man, and that in his last three predecessors they had had enough of that. But imagine our new President in that first winter at Plymouth, when the common larder of the Pilgrims was reduced so low as to afford only a handful of Indian corn to each man per day; how long do you think he would have retained his rotund and rosy visage? Perhaps in the contemplation of such an empty feast, even his tongue would have gladly dropped manna, as Milton says. But of all the men of this generation, I am sure that our worthy and venerable Secretary would have been most at home at Plymouth in 1620. Can you not see him in your mind's eye, taking his daily round among the new settlers, and even extending his visits to the neighboring Indian tribes? Why, he would have been just the man for the occasion, and would have sustained the arms of the ruling Elders

as stoutly as he has held up those of our succeeding Presidents, from Grinnell to Bailey. In his presence, I am sure, grim-visaged war would have smoothed his wrinkled front, and a new Indian policy would have prevailed. I can see him now, visiting, catalogue in hand, the wigwams of the Pequots, the Narragansetts, and the Naumkeags, satisfying them all of the great usefulness of the New England Society and of the extreme importance of joining its ranks. In a few short months he would have had every mother's son of them enrolled, and so perhaps have advanced the march of civilization a century at least. The picture gains upon me so that whenever I see him coming 'round for the annual assessment I almost regret that he had not, indeed, been present at the landing.

"I have thus spoken, Mr. President, lightly, but not irreverently, to this time-honored toast. Had not these more important considerations pressed upon my mind, I should have told in sober earnest of the great results that have grown from the little seed that the Pilgrims planted; how vastly grander these results have been than even their pious hearts conceived; how their grateful descendants have reaped from their toils and sacrifices an overwhelming harvest of plenty and of bliss; how the system of education and the gospel of hard work, of which they set the example and which they transmitted to their posterity, triumphing over their own dark superstitions and obsolete theology, have transformed the austere and gloomy life of New England as it was in their day into the fair sunshine of knowledge, prosperity and happiness which illumines it now. But time forbids, and I will only say, in conclusion, that the Pilgrim Fathers, in laying Plymouth Rock as the corner-stone

of that great moral edifice which has grown up around it and upon it like

> "'The hand that rounded Peter's dome
> And groined the aisles of Christian Rome,
> Wrought in a sad sincerity.
> Themselves from God they could not free,
> They builded better than they knew,
> The conscious stone to beauty grew.'"

Mr. Choate in 1888 was pretty well at the top of his professional activities. He no sooner got out from under one heavy load than he shouldered another. Yet he did not even spare himself in minor labors as appears when he writes to his wife on the 3d of January, 1888:

"* * * Bearing in mind George's anxiety that Mr. Herrel should not put in his appearance in Stockbridge until the De Gersdorffs had left, I routed myself out at seven, and intercepted him at the depot, so that he should come tomorrow instead of today. * * *"

Some men heavily burdened with work in their offices absolutely exempt themselves from household chores and cares. Not so with Mr. Choate. We find him doing all his life, except in some extremity of application, the kind of things he saw done in Salem when he was a boy. He was brought up to do his own work; he never got over it. He was brought up to see the head of the house share the labors of the house; he never got over that either.

Even in the greatest stress of his professional work he was all the time doing outside jobs—talking at dinners, talking on other occasions when he felt he owed discourse. "No man of today who has a light can hide it under a

bushel." So he started his remarks at the annual reunion of the Alpha Delta Phi Fraternity on May 3, 1888. He might have been speaking of himself, but he was not. He was president of the fraternity and had been called upon to speak at its reunion and he was speaking on an occasion—not very important, but important enough to enlist his help.

"Whoever thinks," he said, "if his thoughts amount to anything, thinks for a nation, and when a really great man speaks, he speaks to all the world.

"A striking illustration of this condition of things, of this supreme power and responsibility of the great scholar today, has been furnished us within the past month by the almost simultaneous utterance, on the two sides of the Atlantic, of profound and searching criticisms by England's foremost writer and critic and by America's greatest scholar and poet, in which they discuss our present condition—the one with regard to the state of our politics, the other as to our place in what he calls the higher civilization. The one of these great men speaks on a New York platform, and the other writes almost at the same moment in an English magazine; and straightway all England and America are set to thinking upon what they say. The words of each of these men cut deep, and if you will compare them with the daily jargon which is now being poured out in Congress on either side of the tariff question, which nobody reads at all, or with the bouts of senatorial prize-fighters, which nobody ought to read, you will realize how broad and grand is the theatre in which the scholar and the thinker plays his part. * * * I call your attention to these two utterances because although at first blush their combined effect seems a little discouraging to the pride or vanity of the patriotic Amer-

ican, a more careful perusal leaves upon the mind a most hopeful view of our affairs, and of the possibilities of our future.

"It so happened that only two years before, Mr. Arnold, in a previous article on America, had given us politically and socially a clean bill of health, and had declared with great emphasis that the people of the United States had solved the political problem and the social problem with undeniable success. And as if anticipating Mr. Lowell's somewhat gloomy apprehensions about corruption in our public life and about our practical politics breeding only a race of small politicians, he had used this remarkable language: 'The Americans themselves use such strong language in describing the corruption prevalent among them that they cannot be surprised if strangers believe them. For myself, I had heard and read so much to the discredit of American political life—how all the best men kept aloof from it, and those who gave themselves to it were unworthy—that I ended by supposing that the thing must actually be so, and that the good Americans must be looked for elsewhere than in politics.' But when he came here he said that 'at one dinner in Washington I met half a dozen politicians whom in England we should pronounce to be Members of Parliament of the highest class, in bearing, manners, tone of feeling, intelligence and information. And I discovered that in truth the practice so common in America of calling a politician "a thief" does not mean so very much more than is meant in England when we have heard Lord Beaconsfield called a "liar" and Mr. Gladstone a "madman." It means that the speaker disagrees with the politician and dislikes him.'

"Now, Mr. Arnold was a warm friend to America,

and had many warm friends here, and it is not too much to say that his death is lamented here as sincerely as it is in England; and when you read his last article, his dying message to America, although he too uses strong language when he says that 'in what concerns the higher civilization we live in a fool's paradise,' he concedes, you see, that for those who live in it, it is still a Paradise, and you necessarily draw very great encouragement from the meagre facts which he states in support of this theory. The lack of beauty and the lack of distinction are all that he alleges, and when he gives his specifications for these charges, he is open in part at least to contradiction. When he found no interesting landscapes, he tried the impossible task of framing an indictment against a continent. When he found no beauty here, it must have been for lack of opportunity, for evidently he had never been at a reunion like this. Then, when he surveyed our historical public characters and found that Washington alone had what he calls distinction, and that Lincoln, with all his great and good qualities, for which he gives him full credit, had not what he calls distinction, we perceive that it is a kind of distinction which we can very well do without, and still find many a great American interesting to ourselves, his countrymen.*

"And we leave Mr. Lowell to answer him for us, by saying, as he does: 'I am thankful to have been the contemporary of one among the greatest of men, of whom I think it is safe to say that no other country and no other form of government could have fashioned him,

*Lincoln's distinction has since penetrated England. It has become particularly noticeable since the publication of Lord Charnwood's life and the importation to New York of Mr. Drinkwater's notable and successful play.

and whom posterity will recognize as the wisest and the most bravely human of modern times. It is a benediction to have lived in the same age and country with Abraham Lincoln. Had democracy borne only this consummate flower and then perished like the century-plant it would have discharged its noblest function.' Thus in a multitude of critics as of counsellors, there is safety; and though we must plead guilty to a want of cathedrals and of abbeys and parish churches, and of everything else which has come down from a remote antiquity, and to an unbridled and licentious press which invades the sanctity of every home and the privacy of every life,—though the game of brag is still our popular game, and almost nobody ventures to condemn it—yet if these are all that makes America unfit to live in, they are but faults and blemishes which time, we hope, will cure; and in the meanwhile, until we can make it better, we must be content with America as a tolerable place for Americans to live in, and thank God for that. Mr. Lowell frankly concedes that we are suffering no evils but those which time and faith will cure."

To His Wife

"Washington, D. C. Feby. 13, 1888.

" * * * Court did not take me long today as there seemed no chance of my case being reached, so I came back to my hotel & studied the Bischoffsheim case. While I was in Court the Corean Ambassadors came in—seven very dignified and sober copper-colored men, clad in the finest light colored silks very blue & changeable, with belts & high buskins, hair hanging down in long cues under steeple crowned black straw hats tied under

their chins with wide black ribbons. I thought I should like to see our nine judges change gowns with them & don their high hats. I imagine Judge Gray & Judge Blatchford & the rest so transformed! How it would light up the dull and gloomy Court. * * *

J. H. C."

Mr. Choate's son George had never been quite so strong as his other children, and had always called for special care and thought. Mr. Choate had but one idea about raising boys; that was to put them through the same course that had been profitable to himself—to send them duly to school, and then to Harvard College, and then to the next place where they could get whatever further equipment they needed for life. He was for having George take the usual course. When he seemed not quite up to it he helped him all he could and modified the course to suit him. When he found that he was not equal to the scholastic requirements of Harvard College, he looked around for the next best place and determined to send him to Williams, which being in the Berkshires and not far from Stockbridge, seemed near home. But sad to say he overestimated George's strength. Whereas he should have been handled with care, at Williams he met with quite a contrary experience. The boys hazed him; he broke down and came home a wreck. He got better, but was never afterwards quite equal to the strains of active life. He lived on in partial retirement, always an object of affection and solicitude to his father. In Mr. Choate's letters to his wife for the rest of his life there are constant allusions to George and evidences of constant thought for him. He carried him in his heart as long as he lived, as he did all his children, never ceas-

ing to think about them and plan for them, to be happy in them when he could, to sorrow for them when he had to. His son Ruluff's death, this calamity that befell George, and his daughter Josephine's death were the great misfortunes of a life that seemed in other respects extraordinarily fortunate and happy.

To His Wife

"New York, June 16th, '88.

"I am so sorry that I cannot be with you to celebrate your birthday, but it is a great comfort to me to think of the sweet peace and relief that has come to you at last after all your trying anxiety and trouble. After a refreshing night's sleep I feel at this moment more comfortable about George than I have at any time for years, and believe that his own happiness, as well as the highest good of which he is capable has been greatly promoted by the change. * * *"

To the Same

"New York, 9 October 1889.

" * * * I passed Bishop Potter's wife on the Sixth Avenue and she said she was as well as any woman could be who was entertaining twelve Bishops at dinner every night during the Convention. I suppose he has to do that to get through the whole list before the Convention adjourns, and so, the Bishop's is not entirely a bed of roses.

"Tonight I go to Mr. Astor's dinner to Mayor Grant at Delmonico's. I wonder what kind of an affair that will be—doubtless pretty miscellaneous. There is great rejoicing in the office over the decision of the *Post* cases

in the Court of Appeals at Albany, in our favor, which puts an end to the *Post's* absurd claim against us for $100,000 damages for not finding the deed which was said to have been in our office for 40 years but lost when it was wanted. * * * "

(October 10.) "Mr. Astor's dinner last night proved to be a splendid affair. Some fifty and more guests sat down at a round table in the large dining room at Delmonico's, among them many distinguished and many notorious men. In the centre of the table was a tall sumach tree in the full colors of Autumn and a huge sheaf of wheat, and the whole surface of the table covered with autumnal flowers and fruits & vegetables. Happily there was no speaking although nearly all the speakers were there, as it seemed to me. The dinner was of course superb and without limits, and not too long as I got home at a little after ten. * * *

J. H. C."

To the Same

"Albany, N. Y. 17 Octr. 1889.

"I did not forget the day yesterday, though *so* busy from morning till night that I could only think of it on the wing until I got into the cars to come to *Albany*. An appropriate journey to take on the day, was it not? Next me was a young couple who had *chosen the same anniversary*— Their heads were together *all the way. So close. Something new to say every minute.* He so red, and she so white. They could hardly keep hands off of each other, and were ever so happy. * * *

"Mr. G. Tuckerman *kissed me* yesterday in the street.

I blushed before all. Eliot is laid up *with jaundice*, a cruel thing just as he was going into a year of zealous work. It makes one so feeble.

J. H. C."

To the Same

"Troy, N. Y. 11 Dec. 1889.

"Mr. Burden has provided me with excellent quarters at the Troy Club—a brand-new Club House, which I seem to have pretty much to myself—a fine corner room with lots of sunlight, etc., etc., etc.

"Our case went on today at the City Hall, but so far as I can see it is likely to last a long time yet. The Burdens are famous for protracted law suits. The father of these men had one about spikes that lasted for twenty years, and why should this one about horse shoes come to an untimely end? * * *

"How did you get along with Stickney? And did he move to reconsider? Certainly, he is a very marvel of persistency—not to say obstinacy. I hope you were able to withstand him until Beaman arrived. Don't you think Mrs. Stickney must have a nice time, if she aspires to 'manage' her husband as thoroughly as you do yours? Really we don't know how fortunate we are—do we? until we contrast our lot with other people's.

J. H. C."

CHAPTER VI

THE NINETIES

TYRANNY OF THINGS—CROKER—TO A SCHOOL-BOY—IN WASHINGTON—BEHRING SEA CASE—STOCKBRIDGE IN MARCH—AQUEDUCT CASE—LETTERS FROM STOCKBRIDGE—HOPKINS-SEARLES—TILDEN WILL CASE—SEEN AT THE PATRIARCHS'—A DREAM—CROWDING WORK—IN EUROPE—GREAT OFFENSE TO THE IRISH—A SKETCH FROM THE "TRIBUNE"—AS SEEN BY REPORTERS—THE CHICAGO FAIR—AMENDING THE CONSTITUTION—A MEDAL TO PRESIDENT ELIOT—VANDERBILT DIVORCE CASE—LAIDLAW VS. SAGE

To His Wife

"New York, 17 June 1890.

" * * * I note what you say about all the things you want me to do, and I will so far as I can. The plans I will send tomorrow after looking them over with Effie. The horses I am seeing about. But our wants increase so rapidly, and it seems to me so unnecessarily, that my fond hopes of any substantial leisure vanish like the horizon before me.

"Your birthday—Cannot you change it so as to let us enjoy it together? I thought of you all that day and regretted that I was so far away. * * *

J. H. C."

To the Same

"New York, 22 June 1890.

" * * * You will be surprised to hear that your praise is on many a tongue in this Club. It seems that on their return from Stockbridge last summer, Mr. Cooper then at the head of the House Committee, introduced 'boiled

fowl and pork' 'fish cakes' on Sunday morning and 'corn bread' all of which have become very popular and are known by your name, as 'Mrs. Choate's fish cakes' etc. So you see that your hospitality was not wasted. * * *

J. H. C."

To the Same

"New York, 24 June 1890.

" * * * Today I have not been near Wall St. having taken up all day until a late hour with the examination of Mr. & Mrs. Croker. The Tammany hordes fairly swarmed about us, and when it was over I had to go home and take a bath, wash off the fumes of Democracy with which I was reeking, put on clean clothes and come down to the Club and take a good dinner with Richard Butler who starts alone tonight on his yachting tour through the Lakes, on which I wished so much to join him. * * * "

(June 26.) "How shall I answer this letter from the artist of the Choate Fountain? Fig leaf or no. It has an 'Hon. mention' at the Salon.

J. H. C."

This fountain, the Boy and the Stork, now at Stockbridge, was one of MacMonnies's first works made when he was studying in Paris.

To the Same

"Albany, August 1890.

" * * * The dinner at General Sherman's last night was a very quiet affair. Rich'd. Butler, Cyrus Field,

Judge Endicott, Mr. Chamberlain, Genl. Howard were of the party. I sat on the Count's* right and as the General hadn't much to say to him, having had him in his study for the previous two hours, I had him all to myself. He was very chatty, and appeared to be well posted on all familiar subjects—a very agreeable dinner companion—not at all remarkable however in appearance or any way. The Duc d'Orleans however is a very presentable young fellow and I should think might captivate the people sometime or other if he had a chance. They have already left New York, and as they stay here but 30 days their programme is marked out for every day. Mr. Depew and Mr. Morton declined to attend the dinner because of the hostile attitude of the Count to the French Republic. * * *

J. H. C."

To the Same

"Albany, 14 Augt. 1890.

" * * * Here we are still hopelessly jabbering. Bourke Cockran is at this moment making over again his last 4th of July oration, which nobody in particular is listening to, while I am looking wistfully out of Eastern windows, wondering how soon I can get back to Stockbridge, and brush those Constitutional cobwebs out of my ears and brain.

"Today at one o'clock we have voted to call on Gov. Hill in a body. Perhaps for such a visit it will be pleasanter to be merged in the body of the commission. * * *

J. H. C."

* The Comte de Paris.

To the Same

"New York, Thursday evening.

" * * * I saw your name paraded in the newspapers this morning with those of many other distinguished women, and all against Tammany. Certainly that ought to settle the matter and if it does, why should not the same women have a voice under Mayor Scott in the government of the City? * * *

J. H. C."

To His Son at School at Southboro

"St. Marc's Hotel, N. Y.
Sunday, Oct. 12, 1890.

"My Dearest Jo:—

"I cannot tell you how lonesome I am here in New York, without you or Mama, or the girls. I had intended to spend this Sunday with Mr. Cleveland* at his home in Orange, but at the last moment his wife was taken sick, and so he had to countermand his invitation. I shall want to hear all about your school and how you get on, and hope that at least every Sunday you will write a long letter home. You may congratulate yourself that you are not in New York, where everything seems to be turned topsy turvy, and compared with Stockbridge or Southboro is miserable indeed. Write and tell me what papers you want, and I will subscribe for them at once.

"I have promised to speak at the Anti-Tammany Ratification meeting at the Cooper Institute on Tuesday evening, where I suppose there will be a great hullaballoo (Is that spelt right?).

"I think of you all the time, my dear boy, and you

* His partner, Treadwell Cleveland.

have no idea how much I have at stake in your welfare & success.

"I imagine you will find Homer most delightful after the first few lessons. Don't fail to use your whole study hours for faithful study.

Ever your loving,

PAPA."

To His Wife

"New York, 27 Oct. 1890.

" * * * Not much is talked about here now but the City Election. We hope to win, but Mr. Southmayd says the 'women's movement is the d—dest bosh.'

J. H. C."

"Stockbridge, 3 Nov. 1890.

"DEAR JO:—

" * * * I met Mr. Carter on Saturday with a huge bundle under his arm. 'What have you got there?' said I. 'Cartridges' said he, and then he told me that only three days before some sportsmen had settled down in front of his own house on the beach at Shinnecock and shot three hundred ducks, and he seemed to think it was a great shame that other people should have the shooting of all his ducks. So he was bound for Shinnecock over Sunday to have a shy at them.

"Mr. Carter and I have great fun together, as you may suppose, having been so long acquainted and being thrown so closely together all the time.

"He has taken a hand with us in fighting Tammany, and on Friday night made a speech at the Lenox Lyceum, in which he had a great deal to say about the 'rum sellers' in the Democratic party. 'Not' said he 'that there may

not be some good men who deal in intoxicating liquors. There must be,' he added 'for I indulge in intoxicating liquors myself.' So next day at the Down Town Club I met him at lunch and chaffed him a good deal about his mortifying public confession. Just then his waiter brought him a huge pitcher of what looked like rum punch. 'Hallo' said I, 'are you going to follow up what you said last night by getting drunk? That will be consistent at least.' Then he really blushed, for it looked very much against him, but the truth was that he had ordered a pint of cider cup, but the waiter had made a mistake and brought him a quart which with all its condiments looked like half a gallon.

"You would have laughed just now when the breakfast gong sounded to see Don and Pixie. They were lying together on the rug in the hall while I was writing here in the library. Up they jumped and came frisking and whining about, saying as plain as words could speak 'Papa! why don't you come to breakfast?'

"Tomorrow morning I shall go back to New York early to get in my vote against Tammany. I hope we shall win but have my fears and doubts. On Thursday I met my friend and client Richard Croker, the great boss of Tammany. 'Well' said I, 'are you going to beat us?' 'Oh, yes, easy' said he, 'Grant will have 40,000 majority.' I told him I thought either side would be lucky which got as much as five or ten thousand majority. We are all very curious to see the working of the new voting law. I think it will make a difference of at least five thousand in our favor.

"Don was lost on Saturday but is found again. He was locked up in the barn all night. Ever your,

PAPA."

"The Union League Club,
Sunday evening, Nov. 9, 1890.

"DEAR JO:—

" * * * Last night I went to the dinner at the Fellowcraft Club, made up exclusively of newspaper and magazine men, and strange to say the only club in New York that allows no reports of its speeches and proceedings. In token of this, huge red and white roses (artificial) were hung above the table when the speaking began to indicate that whatever was said was to be *sub rosa*. So everything was very free and very jolly. Of course I had to speak, and discoursed upon the Poet in Politics, apropos of the frantic efforts of Mr. Gilder of the *Century*, the President—in the late Campaign. At about eleven in came Stanley with a crew who had been dining him at the Union League, including General Greeley of Arctic fame and Mr. Depew. Stanley,* whose pictures give you a very good idea of him, spoke well about his adventures, and insisted that the true and only secret of success is to do *with all your might* whatever is given you to do. * * *

PAPA."

To His Wife

"New York, 27 Nov. 1890.

" * * * As I write at seven o'clock the newsboys are screaming an extra with the news of the great triumph of Yale over Princeton at Football, and that of course puts Harvard, after her late victory, once more at the head of all, as she ought always to be in all things. * * *

J. H. C."

* Henry M. Stanley, the African explorer.

To the Same

"Washington, D. C. 9 Jan'y. 1891.

"I do wish you were here with me as you ought to be. You would get such a delightful rest. If on Monday I find that I am going to be detained here, as I may be till Thursday, I shall telegraph to you to come down on the Limited Sunday morning.

"Friday night you know I feel like a boy just let out from school and this is no exception. I finished my first case in Court about half past one, that dreadful one of Mr. Bishop's—so dry and stupid, and so voluminous.—Then I browsed round in the library for a while on my fishing case, and spent the rest of the afternoon with Mr. Carlisle with whom I have a great deal of business. Fortunately the detention of that letter which you secreted so long did no harm.

"Sir Julian Pauncefote has invited me to dinner for Sunday which I had to decline because of Judge Field's; and Mr. Bancroft Davis's tonight I also had to forego for the Tuckermans', whither I am just now flying.

"The weather here is bright and clearing though cold. I wish you were here. You would have a delightful rest, and the girls must let you come.

Ever yours, J. H. C."

To the Same

"Washington, D. C. 12 Jan'y 1891.

"From the scarcity of news from home I suppose you are all like myself too busy to write. What a charming night for Mabel's first dinner, and what a pity that I cannot be on hand to enjoy it. It is now quite certain

I am sorry to say that I cannot get to New York in time for the wedding. I got my second case on in the Court today and it made quite a stir as you will doubtless see by the morning papers, as it involved the Behring Sea Seal Fishery which everybody is now talking about.

"This afternoon I went round with Mrs. Berdan making calls at the Judges', whose day it was. Mrs. Gray was pretty and charming. Mrs. Blatchford grave and dignified. Mrs. Fuller absent in Chicago. Mrs. Field in bed with a cold. After that we went to Mr. Blaine's where I saw Miss Leiter, and she went with us into Mrs. Cameron's, a Cleveland beauty.

"My third and last case seems likely not to be reached till Wednesday, and I doubt now whether I can get home before Thursday P. M. I am glad you have got such a good present for Will's bride. I must write to him and to Mr. Ingersoll my great regrets.

"I am now going to Bancroft Davis's to dinner, a very pleasant house, far above the general commonplace of the day.

"Do drop one line for me before I come back. Ever yours,

J. H. C."

"50 West 47th St.
20 Jany. 1891.

"DEAR JO:—

"That composition of yours about which you wrote to Effie must have been a good one, and as you said you wanted some material for your next one on Behring's Sea, I mailed to you today a pamphlet on the subject by Mr. Stanton, a young man in my office. He wrote it as an essay on which to try for the degree of Dr. of Phil. at Columbia College, and I think it gives a very

fair idea of the whole subject. The root of the matter is that by the consent of all nations, which makes international law, a marine league or as far as cannon shot will reach for defence has long been settled as the limit of the territorial waters of any nation, and beyond that the high seas are free to all. They belong to no nation, and no nation beyond the marine league can impose or enforce its own laws upon the ships or subjects of other nations.

"Russia did claim in the early part of the century exclusive jurisdiction and dominion over the whole of what is now Behring's Sea, but England and the United States stoutly and persistently resisted any such claim. The mistake that our Government made in the outset of this business was to claim this exclusive possession of the high seas in a part of the ocean 1000 miles wide and long and more, and to seize the ships of other nations there for violating our laws which as against them could not be in force more than three miles from shore. Russia before the cession to us had not exercised any such power, and could not, and as you will see in Mr. Stanton's paper, did not pretend by the Treaty to transfer any such to us.

"After Mr. Cleveland's administration had made this false step they receded from it and proposed instead a tripartite agreement between the U. S., England and Russia to restrict seal hunting to such seasons as would save the seals from extermination or diminution. And this was what was being negotiated when Blaine succeeded to Bayard, and renewed the seizures. What he ought to have done was to appeal to all the nations to make such an agreement. There are solid and substantial reasons for demanding it, and I have no doubt that

that is the way in which the matter will finally be settled. Of course one nation cannot change the settled rules of international law.

"I suppose you have seen that I am trying to bring the matter before the Supreme Court at Washington to determine on the legality of the Seizures, and I go there again next Monday about that. If you want anything more than Mr. Stanton's pamphlet I will send you a copy of my Washington brief. * * *

PAPA."

To His Wife

"Washington, D. C. 26 Jan'y. 1891.

"I telegraphed you this morning on receipt of yours to accept the Roosevelts' invitation for Thursday, but have just learned that the lines are down so that no messages have gone.

"My Behring Sea case, to my great disappointment, did not come on today. It will be reached tomorrow about one o'clock, which will give us three hours to finish it, which ought to be enough so as to let me come home tomorrow night.

"There is however a possibility that the Court may order it to be more fully argued so as to detain me here into Wednesday, but I sincerely hope not, for that would interfere with your theatre party. If it should so happen Carl must take my place. I will telegraph you tomorrow anyhow.

"I got your nice letter written on my birthday which in truth I came near forgetting I was so busy.

"I hope that Effie is better and sleeping soundly again, and that Pixey is safe still.

Ever yours, J. H. C."

To the Same

"Washington, 27 Jan'y. 1891.

"To my horror the adjournment came in the middle of my argument. So, I shall have to finish it tomorrow and not get home until late at night. I am more provoked about it than I can tell, but I must not desert it with all the world apparently looking on. But you must tell Mrs. Cleveland* that it is all her husband's fault, for he seized this vessel in 1887 and began all this wretched muss.

"The lines being still down I have to write a lot more short notes to New York. Ever yours,

J. H. Choate."

To the Same

"Albany, N. Y. March 11, 1891.

"I have just returned from Stockbridge where I found everything in excellent order. Last night was a windy rain storm and dismal enough, but in the night the wind shifted to the Northwest and today was bright and glorious. The streets and sidewalks were however almost impassable without rubber boots—such vast masses of slush and ice-water.

"Last evening I took tea with Mr. & Mrs. Joy—a veritable Darby and Joan. They have not been out of Stockbridge all winter and read each other to sleep, I suppose by turns in the morning. You may realize that they were glad to see a friendly face, as almost nobody has darkened their doors before, and they quite reproached me for not bringing my bag there, instead of leaving it at Mrs. Ward's as I did. Their daugh-

* The President's wife.

ters are expected home on Friday after many weeks' absence.

"Today I went all over our premises with Henry. The cows and pigs are all sound and a new calf—a stranger—from Mr. Brown's cow in the village, has been added to the stock. Morris is on his last legs, but Dick has renewed his youth, and on Saturday ran away with Bill and his wife in the cutter,—ran against a tree and pitched them all out, but hurt only the cutter. I think they must have hitched him up wrong as before, for at his venerable age such antics can hardly be expected unless provoked in some way. The dogs were both tied up, as they had been associating last week with a village dog which was shot as a mad dog. But neither of them was bitten. However, Henry and his wife were sure that the whole village was bent on their destruction, and so a little retirement will do them no harm.

"The new barn is a great success, and the asphalting there and in the stable seems to have been well done. Mrs. Bondorf was as much interested as ever in her hens, which are now beginning to lay very well. The pigeons too have been laying and there are two or three newly hatched squabs. * * *

"I called on Mr. Parsons who has now absolutely decided to sell his place, as the boys are to go, one to College and the other to boarding school, and he has no further use for it. He asks $60,000 for it. We shall certainly be interested to find him a good purchaser, who will be also a good neighbor to us. They have got very well through the winter, driving every day—with a hundred continuous days of good sleighing, an almost unprecedented thing in Stockbridge.

"Village news was not abundant. Mr. Aymar has a

new pew for you just in the rear of our window, two seats behind the Sedgwicks, at the very point from which the window shows to best advantage.* He wants to know whether we will take it, because there are other applicants for it, and Mrs. Iasigi who doesn't like the front pew is ready to take ours. I am decidedly in favor of making the change. * * *

J. H. C."

To the Same

"Albany, 18 March, 1891.

"I have had a most disappointing time. Every morning I expect my sole remaining case to be called and to get home before night, but some long winded chaps have had possession of the Court, so that only one case a day has been heard. * * *

"But I have lost no time, for the State Library, a most charming place, now has tempted me to study up one or two matters in which I was behind. They had every book there that I wanted and its arrangements are all very perfect. * * *

J. H. C."

To Mrs. Choate in Europe with Josephine

"New York, 16 June 1891.

"Dear Carrie,

"Here am I, on the morning of *the greatest and best day* to me of all the year, writing to you *at* sunrise. The truth is that we are in the midst of one of those most fearful hot spells, when day and night are almost equally unendurable. The thermometer yesterday was at 97,

* The window is a memorial to Ruluff Choate.

and at this moment before the sun has touched it already over 80. Meanwhile I wonder how it feels for a woman to be 54! That is the charmed period of life, is it not? In fact if there is one time of life etc. it is to me exactly 54. Of you certainly it cannot be said that there is any decline. The newspapers daily report your movements by cable. The Sunday *Tribune* said that having been entertained at the American Legation you had left Berlin, and last night the *Mule in Distress* reported Mrs. Choate and Miss Choate as being now in Dresden! which as Annie says, was a great deal more than we learned from your letter—your first and as yet only letter—from on board the steamer which arrived on Saturday. * * *

J. H. C."

To the Same

"New York, 19 June 1891.

" * * * My aqueduct case still continues & I shall be very lucky if it does not curtail my vacation. * * *

"You would be amused to see how comfortable I am at 50 W. 47. alone. I go to bed early, don't have to wait for the doing of my back hair, rise at 6 when Annie has my coffee always ready by half past, take a long ride and back to breakfast at 8½, independent but very lonesome. How I shall stand it when I cease to be so fully occupied remains to be seen.

"I must now go back to Court before starting for Stockbridge. The case is as tedious and dull as it is long, and I run away from it as often as they will let me. Did I tell you that I feel very confident of winning the Tilden case?

J. H. C."

To the Same

"New York, 23 June 1891.

"Tomorrow is Commencement at Harvard and I should like very much to go, but this plaguey Aqueduct case which began before you left still holds on and keeps me a close prisoner, but at last there are gleams of hope that it may end before midsummer. I should have liked also to go to the meeting of my class. Two of our members died last week—Sears on Wednesday and Horace Richardson on Thursday. The latter was the brother of Mrs. Hardcastle's friend. Effie will remember him as the solid old gentleman who danced with her at the Centennial Ball.

"Beaman who is just starting off, as usual, this time for Cambridge, tells me that he has just bought out the liquor saloon which adjoins the Brearley School and is so offensive to all of your Trustees. Yesterday they had him up before a police justice, and Beaman, Drs. Huntington and Croswell all appeared and asked to have his license revoked, but the man shed tears, swore that he never drank a drop in his life, & pleaded that if his license was revoked he could get no other and his family would starve, and it resulted in their taking his lease off his hands at a low figure, perfectly satisfactory to all concerned. * * *

J. H. C."

To the Same

"New York, 2 July 1891.

" * * * You will, I am sure, be glad to learn that the infernal Aqueduct case came to an end today, and left me free. Though we were disastrously routed it

was still a great relief to be free, and not to have to spend July in the City, sweltering before a Jury.

J. H. C."

To the Same

"Stockbridge, 14 July 1891.

" * * * Your project for me to come out in September, have my portrait painted and bring you and Effie home in November meets with no favor at all. What would Mabel, Jo, George and Grandma do with both of us on the other side of the ocean? Besides, I am heartily sick of portrait painters and never want to see another. Bonnat's pictures that I have seen I don't like, and if I could get to Europe for a month or two I certainly wouldn't spend half of my time in anybody's studio, though he could paint me with all the colors of the rainbow. So there you have my mind very plainly. * * *

J. H. C."

To the Same

"Stockbridge, 21 July 1891.

" * * * A great event in our farm life happened on Sunday night. The old black sow, one of the Berkshires saved over from last year, littered with *nine* pigs as black as herself. She made a great fuss so that Henry had to be up nearly all night with her. The smallest one was so feeble that in the morning they had to take it to Emmett's house, whose wife has some knowledge of pig obstetrics, and warm it by the fire, feed it with a spoon, and cosset it back to life, before it could be trusted alone with its mother and sisters and brothers. After breakfast this morning the family proposes to make a pilgrimage

to the pig-sty to see the new arrivals. Our hay is now nearly all in, quite a barnful, and our corn-crop is so promising that our broker-neighbor prophesies that it will take such an amount of currency to move it in the fall, as to promote quite a tight money market. On Sunday we had Mr. Cooper up from the City, and as our neighbor had some friends of his also, we had them all to dinner—Mr. & Mrs. Gibson, Mr. & Mrs. Knox—and everything went off very well. I drove Mr. Cooper all around for two days, and as he burns fearfully at the least exposure to the sun, we sent him home yesterday with such a ruby glow of health upon his countenance that we feared his friends, if he told them where he had been, would say that they must live altogether too high at Mr. Choate's. (Here I stay my hand for breakfast.) Well, breakfast is over, and I have just taken the grand tour of the place with Mr. Cleveland* and the entire household. Pigs, Barn, Hay-mow, Chickens, pigeons, horses, garden and tennis ground all have been inspected and found in good order. On Saturday last who should appear on our piazza but old Mrs. Lawrence and Miss Lena. They rode up through the grounds from Church St. and seemed much enchanted with all they saw. The old lady is growing fat and handsome—and her bright and cheerful countenance is as bewitching as ever. * * * What do you think of my having been invited to join a whist class? to meet every Monday and Thursday morning from eleven sharp to half past twelve, the other members being Miss Turnbull, Mrs. Iasigi and her twin Miss Weyman & Miss Pomeroy, who is the teacher. Mabel considers it very funny. I enclose a new account of the 'Mistress of Rosemary' from her own lips from last Sun-

* His partner.

day's *Recorder* which I am sure will amuse and entertain you. She seems to be becoming a very celebrated woman. * * *

J. H. C."

The Mistress of Rosemary was Mrs. William Choate, who had been concerned in starting at Wallingford, Connecticut, the Rosemary School (for girls) that was afterwards moved to Greenwich.

"Stockbridge, Mass. 28 July 1891.

"My Dearest & Only One.

" * * * We are dragging our slow length along as well as we can without you and Effie, and I find myself every morning before I get up, counting the days already past (now almost nine weeks) and the days to come before you will return. Last Saturday morning I had a delightful party of seven children whom I picked up in one wagon in the village—two Iasigi's, two Woods's, two Bayard Tuckerman's (my own Elizabeth and little May) and one Gibson. I found them at Dean's store trying to buy four five cent dolls for three cents which was the whole amount of their united funds. After I had helped them out with that, they all came up here with me and we had a glorious morning. First we made a raid upon the kitchen, where fortunately Sarah, the cook, had just turned out a great batch of sponge-cakes each big enough and small enough for one, and with a glass of milk made quite a lunch—then we went on to the front cellar to visit 'Bayah' and her four new black kittens, all in one wine box without a single eye yet open among them. Of course we each had to have one in our own hands to

see how soft it was. Then on to the hen house to see a brood of new chickens, out of the egg that very morning, where the same process had to be gone through, next to the pig-sty to see the new litter. Henry went in to try to drive them out, but the old sow flew at him and he too flew over the fence like a bird, so we all had to go into the shed and inspect the fascinating group. After all this exhausting work and before the party broke up we had to make a new descent upon the kitchen for more cakes, as you may imagine. * * *

"George Butler is here painting my portrait, having been sent up here by the office for that purpose, as they found it impossible to catch me while in town. Of course I cannot tell yet how he will succeed, as he only began yesterday, but his methods seem to be more promising than those of either of my previous executioners, and I have some hopes. Certainly if he can begin to do as well for me as he did for Mr. Lucius Tuckerman, whose portrait was one of the best I ever saw, I shall be quite satisfied. * * *

J. H. C."

To Mrs. Choate

"Stockbridge, Mass, 4 Augt. 1891.

"Sixty seven days gone and seventy three to come, of this long, long separation, if I count correctly. I wish you were here this very minute to consult with George Butler about this portrait that he is painting. I gave him all of last week, and am to give him until Saturday of this week when we go to Beverly. It is quite hard work as he comes over (from C. E. B's) at nine o'clock every day and stays till near five. He has completely finished one portrait for the office which everybody likes.

I think it so good that now he is at work upon another for you or for the Bar Association as may happen. * * *

J. H. C."

To the Same

"Stockbridge, Mass, 14 Aug. 1891.

" * * * Mr. James Russell Lowell's death is the one topic everywhere this week. He certainly was America's greatest citizen if any one is entitled to that name, and his loss is irreparable. * * *

J. H. C."

To the Same

"Stockbridge, Mass, 18 Aug. 1891.

"This is Tuesday afternoon and though I haven't written you since Friday morning, I don't feel very much in the mood for writing, but as John Gilpin says:

> " 'I do admire of woman kind but one,
> And you are she, my dearest dear
> Therefore it shall be done.'

" * * * There is no small interest felt hereabouts in the will of Mrs. Hopkins-Searles, who died last month leaving her whole estate of 30 or 40 millions to her young husband—certainly a good result of an investment in matrimony for only three years. All the women are especially worked up about it and Grandma is particularly incensed denouncing the late Mrs. H. S.—frequently and in the roundest terms. It seems that when they married in 1888, she was already 70 and he only 40; that up to that time she had an existing will by which she left her whole estate to young Hopkins her former husband's, and her own, adopted son, but that immediately after the marriage she revoked that will and made this new

one in her husband's favor, he at the same time making his will by which he left everything to her, although of course he had nothing to leave. It also is said that she left several near relations unprovided for. So there is a universal feminine howl, and demand 'to break the will.' I have tried to argue to Grandma that every woman ought to love her husband well enough to leave him all she has, but as yet she doesn't see it. Every body prophesies another great will case, and everybody is very curious to know whether I shall be in it. In truth I can tell you confidentially, but you must not let it go any further at present, that the disappointed heir at law is now on the way from California to Stockbridge to consult me, and I shall soon know something more about it. On the 8th of October I have to be at Columbus, Ohio, to argue the case of the Standard Oil Co., but as that is a peremptory appointment and the case will only last a day I shall surely be back in New York before the 14th, when at the Steamer's present rates you will arrive. This year certainly we shall spend our wedding day together, and in spite of the lapse of 30 years (can you believe it?) it will of course be a new honeymoon. * * *

J. H. C."

"Stockbridge, Mass.
14 Augt. 1891.

"My Dearest Effie.

" * * * I suppose the European papers will tell you all about Mr. Lowell and his death after prolonged sufferings. Many people thought he had been spoiled in England, and contracted a sort of Anglomania, but it was not so. Of course he liked the great and good things in which the best of English people excel, but from the be-

ginning to the end he was most intensely American, and had a most abiding faith in our future. Bishop Phillips Brooks is coming from Bar Harbor to take charge of his funeral, and I suppose that Uncle Charles is to be one of the pall bearers. He and Aunt L. were at B. H. when Mr. L. died on Wednesday, and the funeral is today in Boston. * * *

PAPA."

To His Wife

"Stockbridge, Mass, 31 Augt. 1891.

"MY DEAREST AND ONLY—

" * * * I have today written to my Lord Bishop of Peterborough, telling him that you were to be in England for two or three weeks before sailing on the 7th of October and that I had told you to be sure and spend at least a day there, for I knew he would reproach me if I were to let you pass through England without his knowing it. I gave him your address in Paris, and if he and his wife are at home, as I suppose Bishops always are, you will undoubtedly hear from him, and don't fail to go if he asks you. Peterborough is only about 70 miles N. W. from London and not more than a couple of hours out by rail. I have also written to Mr. Lincoln that you would be in London, and would not hesitate to call upon him if you needed any advice. * * *

J. H. C."

To the Same

"New York, 4 Sept. 1891.

"Here I am sweltering away for the last three days again in New York as if I were a young lawyer in active practise. The fact is my false repute as a will-breaker is beginning to be troublesome. These California people

called me down again to meet their client Timothy Hopkins, who arrived from California on Wednesday. Of course his hopes are very high, and his anger at being cut off by the young husband very great. There will be a great to-do about this case in the newspapers of course for it is a most romantic case, but perhaps a settlement will be made. * * *

J. H. C."

To the Same

"Stockbridge, Mass, 20 Sept. 1891

" * * * Langdon Valentine was operated upon yesterday for that strange disorder, of which there have been so many cases lately, an obstruction in the cul-de-sac. We heard last night that the operation had been successful and he will probably get well. Dr. Greenleaf's son has just recovered from a similar case.

"Of course you are in London now, and as 24 days more will bring you home I think I can stand it, although I have been most lonely.

J. H. C."

To the Same

"Stockbridge, Mass. 24 Sept. 1891

"How can I let this sacred day go by without a line to you. Dear Ruly! I miss him more and more, instead of less and less, as the years roll on making him really more necessary to me, and indeed your absence today draws him still nearer. The truth is I am very homesick just now for the want of you. * * *

"Our trip (Mabel's and mine) to Boston and to Windsor was a most pleasant and satisfactory one, and we returned on Wednesday evening. Mr. & Mrs. Evarts are both growing old, but she works for two or three

hours every day in her garden, and enjoys the quiet home life very much. He seems to be getting restless and uneasy, and how could he help it? under this great deprivation of loss of sight. But he drives a great deal, sleeps often and talks the rest of the time, and of course he was much delighted to receive one who has always proved so good a listener. He had found at last, what I had been at him for years to unearth, the letter of introduction which Rufus Choate gave to me* when I went to New York on the 24th day of September 1855, just 37 years ago today. It is very charming reading, and you will have to put it among your treasures. * * *

J. H. C."

To the Same

"Washington, D. C. Oct. 28, 1891.

" * * * Today I received the glad tidings that I had won the Tilden Will Case, much to the disgust no doubt of all the New York papers, who will howl over the result. It has been a hard fight and a great victory, and won by a very narrow squeeze, for I see that the Judges stood four to three, while in the Courts below they were two and two. But it is enough. * * *

J. H. C."

To His Daughter in Munich, Bavaria

"50 West 47th St. Saturday Morning
26 Decr. 1891.

"My Dearest Mab.

"Let me tell you what happened just twenty-one years ago this very day and even this very hour. It was the day after Christmas, and Ruly, George and Effie,

* Boyhood and Youth, p. 93.

6, 4 & 2, were playing about me in the parlor of the little house in 21st Street. Mama was too busy up stairs to come down—when suddenly a little wailing cry was heard overhead and word came down that Mabel so long expected had really come, and so of course we all had to rush up and see the little rosy lump, and welcome her to this vale of tears and joys.

"Well, twenty-one years I have had her now and on the whole I will say that nothing in this world has given her father and mother greater pleasure and comfort, and I do not see how if all the powers that go to fashion children could have tried, they could have had a greater success than in this same dear Mabel.

"It grieves me much that today for the first time on the return of this one of the few very best of all my days I cannot hold you in my arms and enjoy you face to face. But I am delighted to see by your letter and by Jo's last which arrived this week that you are doing well, and both making the best of your time.

"This is only a birthday greeting written in the greatest haste to catch the steamer but Mama will write to-morrow.

"Great love to Jo and a birthday kiss to yourself.

Ever your loving

PAPA."

To the Same

"52 Wall St. New York.
15 January 1892.

"MY DARLING MABEL.

"I have a chance day out of Court today, because one of the Jurymen had the grip and the Doctor wouldn't let him come out in this snowstorm. Almost everybody seems to be having the grip now, but I was not at all

sorry for this particular case because it gave me a chance to write to you and Jo by tomorrow's steamer and what greater pleasure could I possibly have than that? Our domestic affairs go on smoothly and quietly though Mama is still as ever badly off for 'time.' Effie when not engaged in lunches, dinners, teas, or routs or bouts of some sort, devotes a vast deal of time and attention to the cat. I tell her it is a sure sign that she has missed her mark and that she ought long ago to have found some more worthy object on which to lavish the outgushing heart. She has 'it' on her shoulders at meals—puts 'it' to my nose and lips to be smelt of and kissed, and worries Mama very much by inviting 'it' to run up her best dresses from the ground to her shoulder. 'It' is certainly very cunning and seductive when not running at large on the back fence in bad company, which I am sorry to say 'it' is very fond of doing. But often in the evening 'it' frequents my room hunting for mice and noises. * * *

"I saw several of your friends at the Patriarchs' night before last. Eunice Ives was having her '*first ball*' and seemed to think it was 'perfectly splendid.' Polly Brewster was there looking as pretty as a picture. * * * I have urged —— to go in there very strongly but he says he has no chance. * * * If I were 25 I certainly would go in and win or find out the reason why. By the way, I came down in the cars with Mr. Brewster, Polly's father, who complained that I was a constant thorn in his side. I asked him what he meant, and he said that his wife was always urging him to go into 'Society' which he always resisted as incompatible with business, whereupon she seizes the morning paper and cries out 'There! see now, Mr. Choate was at the Patriarchs' or at the

Assembly last night, and led the way down to supper, and you have always held him up as a model.' I told him I had been only once this winter. 'Well,' says he, 'they advertise you in such big letters that it seems as if you were there all the time,' etc. etc. I enclose a newspaper cutting about Bishop Phillips Brooks, which I cut out for you and have nearly worn out since carrying it about in my pocket. It exhibits the great preacher in a lovely light, and shows how much he has lost by remaining an old bachelor.

"Tomorrow night I am to go to the Doctors' Dinner and I believe they expect me to speak to a toast on 'the duties of Trustees,' but that would be too stupid, and so I think that I will spend the few minutes assigned to me in chaffing the doctors instead. It is too good a chance to be lost—two or three hundred of them—and only two or three patients or laymen. * * *

Ever your loving,

PAPA."

"50 West 47th St.
24 Feby. 1892.

"MY DEAREST MABEL:—

"I must plead guilty to great neglect of you lately, but the truth is that I have been very, very busy all the winter, and the more so for trying to arrange matters so as to get away in the Spring. The case of your friend Mr. Hopkins is the great stumbling block in the way, for if that is tried at the Spring Term I shall have to be in Salem until it is ended and the Lord only knows when that will be. * * *

"I had the strangest and most vivid dream night before last of which Jo. like his namesake among the Egyptians must be the interpreter. Mr. L. P. Nash and I

were taking a stroll together on Salem Neck and just before reaching the Alms House which forms its principal ornament we came upon a little lily pond—close by which we discovered an old slouched hat and overcoat, and a pair of gloves lying together on the bank. I said to Mr. Nash, 'It's very queer, to find these things here! Can there be anything in the pond?' So I took a long pole and turned aside the lily pads—and underneath them sure enough lay Mr. Southmayd, who had taken this way of ending his dreary and troubled life. We fished him out stone dead and apparently for a long time. Then all at once the scene shifted to our old home in the Owen House at Stockbridge where we carried him for burial, and all the Butlers, Lawrences, Tweeds, Beamans, etc., etc., gathered for the occasion. We sent notices of his death to all the New York papers, which contained sensational articles on the suicide caused by disappointed love, and glowing obituaries on his great career as a lawyer and a man. While we were getting ready to bury him his body kept shrinking and shrinking until it took the form of a fresh and new-born baby, which all of a sudden as we were washing it, began to sneeze and cough, make up faces and laugh, and was one of the sweetest and jolliest babies ever produced. Of course we were all very much taken aback, and wondered what he would say when he read the papers and all they contained. This thought disturbed me so that I woke up—and that was the end of the dream. But it ran just as I have described it, and it seemed to me to be quite a demonstration of the possibility of a resurrection of the body, that this dried up old bachelor, so crusty and despondent, should bury himself among the lilies, and be born again for a new and jolly career, to have the good time at last which in

his past life he had so thoroughly missed. I have not seen him since, but I must tell him of it and see how he will take it. * * *

"The Harvard Dinner passed off last Friday night with great éclat. But as Effie had a dinner the same night and I was invited to sit between dear Edna Barger and Edith Bonner I remained at home to enjoy that, and what sensible man with a heart to love would not?—and did not reach Delmonico's till ten o'clock, when President Eliot was just concluding what he had to say. Then Jack Wendell sang a new song to the discomfiture of Yale, and Evarts through the whole evening led the cheers and the rah! rah! rah!, standing on a chair and posturing like the leader of an orchestra. Bishop Brooks made a grand speech and I wish I could tell you all the good things he said. He pitched into the Dickey,* praised Mr. Garrison for exposing them, condemned the swell boys, who impudently paraded as if they alone were the College, and asserted that the true Harvard now as always consisted of the great crowd of boys who went there for earnest purposes. 'The College' he said 'has a millstone just now about its neck—no, I will not call it a millstone—it has not weight enough for that—but rather it has about its neck a tinsel collar—a dickey you might call it.' All of which was well received and made a great impression. To everybody's surprise I made a serious speech, which they took quite as well as they ever had my lightest. I enclose a splendid speech of George Wm. Curtis on Lowell which you and Jo. must both read. * * *

PAPA."

* The D. K. E. Society of Harvard College, which had fallen into obstreperous ways.

To His Wife

"Chicago, 22 Mch. 1892.

" * * * Our case proceeded all day today and promises to be a long one. I see no prospect of getting away from here until Monday or Tuesday. The Courts and lawyers here are fearfully slow and have no idea of the pressure under which we work in New York. * * *

"We have had no time to visit the Fair Grounds which are six miles away and there has been no sunshine for such a trip. I was much disappointed at St. Gaudens's statue of Lincoln, but it was a fearful problem for a sculptor to deal with his ungainly figure, coat, trousers and waistcoat, but perhaps he did his best by exposing them in all their hardness. Grant's equestrian statue which stands near by is much more to my mind. * * *

J. H. C."

To the Same

"New York, 5 April 1892,

"Our darkest day!

"DEAR CARRIE,

" * * * Think of this day, dear, eight years ago. How useful and helpful dear Ruly would be to us now.

J. H. C."

To the Same

"New York, 20 April 1892.

"Words are weak to describe how lonesome I have been tonight with Carl away to dinner and all the evening. However I have been as busy as a bee among my law books getting ready in the Stewart will case for tomorrow which promises to be a critical day. It drags

its slow length along and nobody can tell now when it will be finished. Today we all went up town to examine a sick and dying witness but she failed so fast under the process that after spending half an hour over her, we concluded to abandon it. If I get through this as I hope to this week, then I have to spend nearly if not quite all of next week in Albany disposing of a lot of cases in the Court of Appeals, leaving me a scant week to close up everything here before the 7th. Everybody is doing what they can to help me off but any way I expect to drag only my remains aboard the steamer. * * *

J. H. C."

To the Same

"Albany, 27 April 1892.

" * * * Today I have argued my fourth case here since Monday morning, and this is Wednesday; the other three are all very easy. But this crowding of nine months work into seven as I have done this winter makes me tired. There, you don't often get such a confession from me, do you? But it is a fact. * * *

J. H. C."

To the Same

"Albany, 1892

" * * * I propose to begin to pack my trunk on Tuesday morning and hope not to find myself in a 'State of mind' at the last moment. All my cases have got out of the way but one, and that I think will be easily disposed of. Everybody thinks that I 'broke the record' of the Court of Appeals last week by arguing seven cases there—a thing before unheard of. * * *

J. H. C."

To the Same

"New York, 4 May 1892.

" * * * Mr. Beaman's dinner last night was a great success and the company very distinguished. Mr. Phelps was there and Mr. Reid and Carter, Seward, Bristow, Dillon & the Judges. Mr. Evarts came out of his gloom, if such a word can be applied even to such a shade as has fallen over him, and entertained the Company, but chiefly with reminiscences of his own '*mots*' and with one or two of mine which I had quite forgotten,—one especially about Boston and the Coliseum which they got up there at one time in imitation of Rome for a great fair, but which was soon destroyed, and brought into ridicule; that I said in a speech there that 'more fortunate than Rome, Boston had survived her Coliseum.' When appealed to by the Company I had to confess that I couldn't remember it. * * *

"I fear I shall have to sit up nearly all night tonight over my last case which I am to argue tomorrow. So I must say goodby.

J. H. C."

To His Son

"Venice, Italy.
4 July 1892.

"Dear George:—

" * * * Yesterday we rowed over to Murano—one of the islands in the neighborhood—to see a festival held there annually as it has been since the fourteenth century. At six o'clock out of the old church came a long procession of priests and acolytes bearing banners, and crosses and huge candles lighted, and a huge crucifix, and images of saints and angels; a little boy not more than four years old was dressed out as St. John bearing

his cross, and driving a snow white lamb before him, and a little girl of the same age as the Bride of Heaven, the whole concluding with the Bishop bearing the host under a canopy, with many priests swinging censers with burning incense before it. Everything about it was most grotesque & everybody was very jolly except little St. John and the Bride of Heaven, both of whom got tired out, and ended their parts in tears. We have been much surprised to find the Italians such active and industrious people, and although beggars and priests and soldiers abound everywhere, there are great signs of prosperity everywhere, and one thing which differs very much from America is that nobody gets drunk as we have seen only two drunken men in all Italy. They drink plenty of light wines and beer but apparently no strong liquors. * * *

PAPA."

The testimony about the orderly character of light wines and beer comes opportunely now (1920) and is obviously disinterested.

"Hotel Zermatterhof,
Thursday evening, Sept. 1st. 1892

"DEAR EFFIE.—

" * * * The company at the Riffel Alp was of quite a high order. There were lots of Cambridge & Oxford men there all engaged in climbing, the Head Master of Harrow and quite a number of the other masters, one measuring 6 feet 10—a perfect giant. Munkacsy the great painter, sang in the parlour, and Sir Frederick Leighton, President of the British Academy was one of the guests of the house, a wonderfully handsome and agreeable man. * * *

PAPA."

Mr. Choate was a guest at the dinner of the Friendly Sons of St. Patrick at Delmonico's on St. Patrick's Day, 1893, and made remarks which were reported the next morning in *The Sun*, with the reporter's embellishments, as follows:

"After a few graceful compliments, he went on to say that he would not speak upon the subject nearest to Irish hearts, home rule. 'I leave that,' he said, 'to Mr. Depew, who, I believe, is to come in late. I leave it to Mr. Depew and Mr. Gladstone, who understand it so much better than I. But I prefer to speak upon a kindred subject more familiar to me. That is, how Irishmen rule away from home.

"'This is the day we celebrate. This is the day all Americans celebrate. This is the day that makes the streets all over municipalities impassable. This morning I put on my tall hat and my shamrock scarf and set out with the idea of joining in the celebration. The first man I met was Recorder Smyth. I met him at a barber shop. He was preparing for the day that smooth, that smiling, that implacable, that terrible face of his.'

"There was wild laughter and applause at this, and those far away arose to look where everybody was looking, to the foot of the table, where the Recorder sat blushing and laughing.

"'I will not call upon him to stand up and be identified,' continued Mr. Choate, and it was twenty seconds before he could get a further hearing, so joyously was this allusion to the Gardner trial received.

"'But, gentlemen, you missed one feature for your procession. How your parade would have been glorified,' here Mr. Choate waved his hand towards the rep-

resentatives of the New England, the St. Andrew, the Southern, and the St. George Societies present, 'if you had led captive and bound at your chariot wheels the representatives of these downtrodden nationalities. How my brother of the New England Society would have looked marching there with the badge of his society upon his breast. And my brother of the Holland Society, Mr. De Peyster, the representative of the last remaining relic of the Dutch who once thought New York belonged to them. And this representative of the Southern Society, of the Southerners who have come here to see what they could find, and have captured and captivated New York.

"'All these might well have been at your chariot wheels. For what offices, great or small, have the Irishmen not taken? What spoils have they not carried away? From Mayor Gilroy—I am glad to hear your applause. I am the only man here tonight, I doubt not, who didn't vote for Mayor Gilroy. I voted for the other man. I've forgotten who he was. But it is no matter who it was. No man could stand against Thomas F. Gilroy and his seventy-five thousand majority.

"'But, gentlemen, now that you have done so much for America, now that you have made it all your own, what do you propose to do for Ireland? How long do you propose to let her be the political football of England? Poor, downtrodden, oppressed Ireland! Hereditary bondsmen, know you not who would be free themselves must strike the blow?'

"At this there was laughter and several cries of 'We can't' and 'There isn't any way to do it.' Mr. Choate went on:

"'You have learned how to govern by making all the soil of all other countries your own. Have you not learned

how to govern at home; how to make Ireland a land of home rule?'

"There was a confused murmur in the room, some laughter, some excited gesticulation, a few angry looks, several cries of 'That's too strong. Choate is carrying his sarcasm too far.' Mr. Choate went on with a sarcastic smile of good humor on his face:

"'There is a cure for Ireland's woes and feebleness today. It is a strong measure that I advocate. But I am here tonight to plead for Ireland with the retaining fee in my possession, and I propose to plead. I propose that you should all, with your wives and your children, and your children's children, with the spoils you have taken from America in your hands, set your faces homeward, land there, and strike the blow.'

"At this there was some laughter, the representatives of the other societies doing most of it, there were many angry looks, several cries of 'No! No!' and two or three hisses, half suppressed. Mr. Choate, still smiling and sarcastic, went on:

"'Gentlemen, the G. O. M. needs you. He is clamoring for you. And the G. O. P., to which I belong, has been so severely disciplined that it can get along without you. Think what it would mean for both countries if all the Irishmen of America, from Atlantic to Pacific, should shoulder their muskets and march to the relief of their native land! Then, indeed, would Ireland be for Irishmen and America for Americans!'

"There was some applause, but scarcely any laughter. The banqueters were receiving Mr. Choate's good-humored sarcasms silently and were waiting anxiously to see just how far he would go. Mr. Choate went on:

"'As you landed the G. O. M. would come down to

receive you with pæans of assured victory. As you departed the Republicans would go down to see you off and to bid you a joyful farewell. Think of the song you would raise. "We are coming, Father Gladstone, fifteen millions strong!" How the British lion would hide his diminished head! For such an array would not only rule Ireland, but all other sections of the British empire. What could stand before you?

"'It would be a terrible blow to us. It would take us a great while to recover. Feebly, imperfectly, we should look about us and learn for the first time in seventy-five years how to govern New York without you. But there would be a bond of brotherhood between the two nations. Up from the whole soil of Ireland, up from the whole soil of America, would arise one pæan—"Erin go bragh"!'"

These remarks made a great stir. According to *The Sun* reporter, as quoted, they were not entirely acceptable to the Friendly Sons at the dinner, but there they went off comparatively well for they had Mr. Choate's cheerful countenance and ingratiating manner back of them. But read in cold print they gave even less satisfaction. The organs of Irish opinion, when they got around to it, were very strong—even harsh—in their deprecation of Mr. Choate's attitude towards the Irish in New York. Friendly Sons and their compatriots concluded that he had scoffed at them beyond what they could afford to overlook, and their murmurs gathered volume until they reached the dimensions of a roar. Probably it amused Mr. Choate; that it disturbed him there is no evidence whatever, but it made him a leading topic in all the papers for weeks afterwards. In the long and very good article

about him that happened in *The Tribune*, unsigned, on May 14, there is this allusion to that feast:

" * * * He talked unreservedly, it is true, to the sons of St. Patrick the other evening, but his satirical allusions were not a bit more strong than those he indulged in twenty-five years ago when he had just begun his career here. In a speech before the New England Society at Delmonico's in 1865 with Recorder (afterwards Governor) Hoffman, General Hancock, Admiral Farragut, Theodore Tilton, the Rev. Dr. Bellows and Senator Lane among the invited guests, he welcomed the representative of the St. Patrick's Society with these playful remarks: 'And now, let me pay the last and best respects to the representative of St. Patrick, who, in the disguise of a hearty sympathizer, comes among us, nevertheless, as our master and despot; and yet I regard the presence of this genial stranger tonight as an augury of uncommon hope, because of the assurance that it gives us that in this great Irish city, the seat of St. Patrick's power, where he sits enthroned in majesty to govern not only us but in these latter days the prophetic Republic of Ireland, too, he has determined in the goodness of his heart that yet a little longer, at least a twelvemonth more, he will tolerate the presence of the hated Yankee; and I doubt not, as we hold our license at his will and pleasure, we shall have leave, at least until our next anniversary comes around, to peddle our little notions and get rid of our little wares in this metropolis without the dread of his shillelah being cracked about our heads.' "

The Tribune writer went on to consider Mr. Choate's qualities and achievements as a lawyer and to expound

some of his legal labors, fresher then in tne public memory than now, as follows:

"'The great lawyers,' said William G. Peckham, the well known authority on elevated railroad land damage matters, 'who were his predecessors, such, for example, as his relative, Rufus Choate, tried trifling country lawsuits all their days, with an occasional case of magnitude, but even this involved an amount which would be inconsiderable in the present Choate's practice. So it was with Erskine and Nicholas Hill, and even Daniel Webster. It is frequently remarked in court circles that the great lawyers who are Mr. Choate's contemporaries divide among them one-half of the business of the first magnitude, and Mr. Choate has the other half to himself. Now, why is it? His method goes right home to the human heart, whether it be the heart of a judge or the heart of a juryman, just the same as he reaches the centre of the affections of the Germans who go from Tompkins Square to Cooper Institute. Where other lawyers are solemn and portentous, or wild or otherwise unpleasant, Mr. Choate is humorous and human. Other lawyers in all the annals of legal eloquence tried to reach human nature by some circuitous method, or by some method that human nature balked at. Mr. Choate talks just as high as the heart of the judge or juryman. He puts on no lofty airs, but often speaks with his hands in his pockets. He does not strive to stir up dark passions. While he is always a little keener, a little finer, and more witty than the man in the box or on the bench, yet he is always a brother man to him.'

"A history of Mr. Choate's professional career would require a sketch of a majority of the great cases that have been tried here since the war. It would involve,

among others, the story of the Tweed Ring prosecution, of the protracted investigation of the case of General Fitz-John Porter, whom he defended at West Point before the board of officers appointed by President Hayes, which resulted in the reversal of the judgment of the original court-martial; of the celebrated libel suit instituted by Gaston L. Feuardent against General Cesnola, whom Mr. Choate successfully defended; of the Tilden will case; the contest over Commodore Vanderbilt's millions; the Chinese exclusion case, in which he argued against the validity of the act; his appeal to the Supreme Court in behalf of David Neagle, who shot Judge Terry in defence of Justice Field, and whose act was decreed to be no violation of the law; the Stokes will fight; the case of Manchester against the State of Massachusetts before the United States Supreme Court; the Behring Sea controversy, and the memorable suit brought by David Stewart in 1881 against Collis P. Huntington for the payment of a large sum of money, which the plaintiff declared was due him under the terms of agreement that he made with Huntington at the time when he purchased a block of Central Pacific stock from the defendant.

"This case was one of unusual interest to the public. All the persons involved were well known, and the recital of the doings of the 'Big Four' of the Pacific Coast, Huntington, Hopkins, Crocker and Stanford, in connection with the Central Pacific's construction, which was brought out by the trial, made an entertaining chapter at the hands of Mr. Choate, who appeared alone for Mr. Stewart. His rival in a dozen contests, Francis N. Bangs, whose passages at arms with him in the Cesnola case will long be remembered, and Roscoe Conkling, then in the prime of his intellectual life and entirely devoted to his law

practice, had been retained by Mr. Huntington. They made a formidable pair of defenders. Mr. Choate made the most of this fact with the jury. 'I doubt, gentlemen,' he said, 'whether any man ever had to contend alone against so powerful a combination. In the first place, there is the defendant himself, one of the three great railway monarchs of the world, all powerful throughout the length and breadth of the land, and he has called here to aid him, as was his right, the greatest powers of the bar, the most astute, the most crafty—in the best sense of the word—the most skilful of our profession, and,' with a graceful wave of the hand towards Mr. Conkling, 'the very Demosthenes of our time. And yet I do not feel entirely alone or entirely unarmed. I have the evidence in this case with me, and if I can put that little weapon in my sling and aim straight at his forehead, the recent Goliath of the continent is bound to bite the dust.'

"The marvellous rapidity with which he takes advantage of every point and sees the elements in every situation that are favorable to him was exhibited to advantage in this trial again and again. Mr. Huntington while on the stand proved, from the layman's point of view, a poor witness for Mr. Choate. His memory was sadly defective. Mr. Choate's most skilful cross-questioning could elicit from him little if any specific information as to the operations of the famous Contract and Finance Company. His counsel smiled blandly and the plaintiff himself looked gloomy. But observe with what telling effect Mr. Choate used this temporary triumph of his opponent:

"'My learned friends upon the other side,' said he in closing, 'have expressed a little regret and a kind of rebuke for me because I described their client as the

Jay Gould of the Pacific Coast. Now, gentlemen, a great historical person like Mr. Gould we speak of without personality, and I challenge your attention to the appearance of this defendant on the stand to say whether he has not filled the bill. Remember that dreadful Black Friday, when the wizard of the New York stock market pulled the wires behind the scenes that brought destruction upon so many honest men, and afterwards, when called in a court of justice to describe the proceedings of that day, he knew absolutely nothing about it, although it was all his own work. And positively as to a certain check he had drawn, he could not say whether it was for five million or ten million dollars. When Mr. Huntington took this stand and swore that as to the dividends he had received from the Contract and Finance Company between October, 1867, and May, 1870, he could not tell whether they were one million or two millions, three millions, four millions or five millions—did he not fill the bill?'

"Mr. Conkling had insisted that his client was not responsible for what his associates had done on the Pacific Coast. To this Mr. Choate responded: 'Well, gentlemen, it reminds me of an alibi that was introduced in another famous case. You remember when Mr. Tony Weller was called in consultation about the defence of Mr. Pickwick, in whose arms the fair widow who sued him had been found dissolving in tears, and he said: "Sammy, my advice to you is to prove an alibi." Some defendants, when brought to trial, believe in character, and some in an alibi, but I advise you to stick to an alibi and let the character go. This double of Mr. Huntington, under whose cover he exists, and is in two places at the same time—on the Atlantic and the Pacific—my distinguished friend said it was a romance, the connection

between him and Mark Hopkins. I thought, gentlemen, of that other romance, the story of "My Double and How He Undid Me," and it seems that the defendant was then to undo him in this case—this Mark Hopkins, by whom he was represented absolutely, completely, and without any limitations whatever, so that you might say that when Mr. Huntington took snuff on the Atlantic Coast, Mr. Hopkins sneezed on the Pacific.'

"A little further on he paid a glowing tribute to Mr. Conkling—one, it is said, that the ex-Senator held in grateful remembrance. 'However we may differ,' said Mr. Choate, 'one from another, or all of us from him, we owe the Senator one debt of gratitude for standing always steadfast and incorruptible in the halls of corruption. Shadrach, Meshach and Abednego won immortal glory for passing one day in the fiery furnace, but he has been twenty years there and has come out without even the smell of smoke upon his garments.'

"There were sharp encounters every day between these powerful adversaries, but Mr. Choate never failed to hold his own and usually came off victorious. In the course of one of his speeches Mr. Conkling quoted a published description of Mr. Choate's appearance. It provoked a laugh, in which the victim joined good-naturedly. But when he came to reply he turned the laugh on his opponent. 'My learned friend,' he blandly remarked, 'has been a little personal. He has seen fit to quote for your entertainment and that of the learned Court and this audience a description of my face and features that he gathered from a newspaper. I do not like to lie under this imputation and I will return it. But, gentlemen, not from any newspaper—oh, no! I will paint his picture as it has been painted by an immortal pen. I will give you a description of him as the divine Shakespeare

painted it, for he must have had my learned friend in his eye when he said:

> "'"See what a grace is seated on this brow;
> Hyperion's curl, the front of Jove himself;
> An eye, like Mars, to threaten and command—
> A combination and a form indeed
> Where every god did seem to set his seal,
> To give the world assurance of a man."'

"In the general laughter that greeted this quotation Mr. Conkling joined. 'Well done,' said he. 'You stated that first class, Choate.'

"His tilts with Mr. Bangs, however, were most frequent and most severe. Nothing could be more striking than the contrast in the manner of the two contestants. Mr. Bangs was impulsive, excitable; Mr. Choate has never yet, it is said, been known to lose control of himself in court. No matter what happens, no matter what is said, he invariably remains cool and complacent. This gave him an important advantage over Mr. Bangs, who remarked more than once that 'his life would be shortened by that fellow Choate.' But he was able to give hard blows, too. Once in the Cesnola trial Mr. Choate staggered him by the apt quotation of some section of statutory law. It was so thoroughly applicable to the point under discussion that Mr. Bangs was at a loss for a moment how to meet it. 'My learned brother and I', he began, 'tried a case or two before Judge Wheeler some time ago. He is now using what knowledge of the law he managed to glean from me then before this Court. This I submit is hardly fair.'

"Mr. Choate instantly rejoined, 'Really, I had forgotten that you ever said anything relating to the law.'

"'Very likely,' responded the other, 'but whatever law you give is easily traceable to its source. Modesty forbids me saying more.'

"Mrs. Paran Stevens was sued by Richard M. Hunt, the architect, for services in building the Victoria Hotel. In summing up Mr. Choate said: 'For the last week, gentlemen of the jury, we have been engaged here in bitter contest. It has tired us all. Coming by my children's nursery this morning it was soothing to the ear to hear the children recite the nursery ballad of 'The House that Jack Built'; for this, gentlemen, is the house that Jack built. My client is the unfortunate Jack, and,' with deference, 'you, madam,' bowing gracefully to Mrs. Stevens, 'may be called the maiden that milked the cow with the crumpled horn, which might stand for the somewhat crumpled Stevens estate.' The Stevens estate was in continual litigation for many years.

"One of Mr. Choate's friends describes a scene before Judge Freedman some years ago. The counsel for the plaintiff, John E. Parsons, denounced the defendant insurance company as 'vampires, bloodless monsters that feed on the blood of the people,' etc. It was a savage address of the old-fashioned style. When Mr. Parsons sat down the whole courtroom seemed to buzz. Mr. Choate was lying back in his chair, with his eyes to the ceiling and his hands in his pockets. 'Mr. Choate, it is your turn,' said the Judge, and Mr. Choate arose, still with his hands in his pockets. 'If your Honor please, and gentlemen of the jury,' said Mr. Choate, 'do you know what a vampire really is? Look at the Quaker gentleman who is the president of this company. He sits there in his Quaker clothes and white neckcloth. Look at that innocent young man, his attorney, who

sits next him and has a smile on his face. You thought vampires were something out of the way when Brother Parsons described them, but these are regular, genuine vampires.'

"The excitement of the spectators merged into a laugh and then into a feeling friendly to the speaker."

A pen-picture of Mr. Choate, travelling on his daily beat, made by a *Tribune* reporter about this time (February 19, 1893) gives a very pleasant impression of him:

"There was a blockade of street cars at Park Row, just in front of the Post Office, at six o'clock last night. A tall man, with pipe-stem legs and a slender torso which seemed scarcely capable of sustaining the massive, towering head, sauntered along, with one hand in the right trousers' pocket, deeply absorbed in thought. A crowd was awaiting the lifting of the blockade. The man, after a careless upward glance, scrambled over the platforms of two cars with his eyes still fixed downward as if in a brown study. The crowd accepted the lesson. He entered a Sixth Avenue 'L' car in which he took the only vacant seat. At Chambers street a poorly dressed woman entered. No one stirred. A minute afterward the man looked up. Bounding from his seat, hat in hand, with a low bow and a deeply courteous one, he said:—'Allow me to offer you a seat, madam.' With thanks the woman accepted, and closely watched the face of the man, which was in an instant again wrapt in the abstract expression of deep meditation. For ten blocks the woman's eyes rested on that strong, intellectual face. Suddenly she turned to a man sitting at her side. 'Do you know that gentleman?' she asked. 'That's Joe Choate, the great

lawyer,' was the reply. 'Oh,' she ejaculated with an air of relief, 'I was sure he was somebody.' "

This absorbed gentleman, polite to women in the street-cars, was the same who stirred up the Sons of St. Patrick a month later.

To His Wife

"New York, 15 June 1893.

"I am ever so sorry that I cannot come up tomorrow to celebrate your birthday—my great red letter day. But besides having to go to Jersey as a witness to-morrow afternoon, I am booked for all day Saturday on the *Viking* Ship,* which is to arrive that day and be received by our Committee. * * * "

(June 16.) "What a pity that I cannot be with you tonight. But the inexorable and inevitable Vikings are to arrive to-morrow and I have to be with them. To-day I settled the last but one of my remaining cases, so that next week I shall really earn my freedom. Mrs. Baldwin's case is all that now remains upon my hands, and about that I feel very solicitous. She has suffered so much and yet has such tremendous legal obstacles in her way. * * * Last night's *Post* has such an excellent account of the first Commencement of the Barnard girls that I have cut it out and enclose it. Mr. Brownell tells me that they made a great sensation as they appeared upon the stage and were received with overwhelming applause. * * *

"I have advised Mr. Southmayd who seems very timid about returning to his house in Stockbridge, either to maintain a garrison, or to get married and support a wife.

* It came to the Chicago Fair.

I don't know which would be the surest safeguard.* Genl. Bristow asked me why we didn't come up to the Dodges'. It seems they went and had a nice time. I said 'we couldn't—my wife was packing. Did you ever see a woman in the packing period?' 'Haven't I?' said he. 'Well' said I 'that invitation came when my wife was in the packing season, and I have learned long ago to let a woman alone at that time'—which seemed to please Col. Cannon very much for it had never struck him exactly in that light. I suppose that you still read the daily reports of the Lizzie Borden case. Her defense today and yesterday has come out very strong, especially her sister Emma's evidence and of course she must be acquitted. * * *

"Evert Jansen Wendell is still on the *qui vive* about my portrait. I think he inclines very strongly to select Collins to paint it. What would you say to that? * * * "

(June 19.) "Today has been one of the hottest days, but the weather man promises that tomorrow the thermometer will be 100 in the shade. However I have got out of Court for good and shall soon be able to close up and be off. I got a fair settlement for Dr. Simmons out of the Tilden Estate on Friday, and today have done as well for poor Mrs. Baldwin out of the Central Road. Now all I have to do is to get Mrs. Drayton and the Astors out of the way.

"I had a long talk with Mr. Southmayd today about the Stockbridge burglaries. He of course will do his part about employing a proper detective which I think should be done. I shall be interested to hear what you and Mr. Searles have to say. * * *

J. H. C."

* Mr. Southmayd had had a bad encounter with a burglar.

To His Wife

"Massachusetts State Building
Jackson Park, Chicago, 8 Sept. 1893.

"I find this a most convenient and delightful resting place, surrounded as I am here by memorials of my boyhood in the pictures and relics of the Essex Institute, including the silhouettes of the old Salem worthies who were familiar objects as I first walked the streets. * * *

J. H. C."

(September 10.) "We have now had four days of the Fair and are all pretty tired tonight as you may imagine, for we seem to have seen almost everything, but by going to bed at nine o'clock and putting in ten hours of sleep, we start fresh every morning. The fair is now at its height and over 200,000 people a day enter the grounds. Today has been Grand Army day, and there was a great procession of veterans parading everywhere, also a transportation procession embracing every kind of vehicle from the earliest chair of the Australians hung on two poles to the most fashionable drag of today crowded with gaily dressed swells. * * *

"The United States building which I went through today is a marvellous exhibition, and we had no idea before what vast and varied industries are involved in carrying on the Government. The exhibit of the War Department especially attracted immense crowds and it was almost impossible to elbow one's way through the crowd. The contrast between the Massachusetts and the New York buildings and their contents is very mortifying to a New Yorker. The former is full of sentiment, displaying all the best things and men in her history, while New York with all her great traditions and noble

historical characters has nothing to show but portraits of Flower, Shehan, and Sulzer, and Tammany's feeblest representatives and Chauncey Depew, and a flashy and costly building equipped as part saloon and part opera house. The only redeeming thing about it is that the building has now been presented to Chicago as a permanent place of exhibition for the industries of women. * * * "

"Michigan Columbian Club.

(September 11.) " * * * At Chicago we lunched at the Auditorium and a very poor lunch it was. What we get here at the Fair is fine in comparison, but we made amends for that by supping at the Richelieu, which is a superb restaurant, quite equal as I thought to Delmonico's. In the interval we took a landau and drove through Lincoln Park, saw the statues of Lincoln and Grant, and a third which our driver said was 'Linny, if we knew who he was' but which proved to be Linnæus. The crowd was for all the world like a New York crowd in Central Park, though I thought a little more orderly. In fact we have hardly seen a drunken man in our week in Chicago. It seems strange to come a thousand miles from home and find the same kind of people, dressed in the same way and doing exactly the same things as those we left at home. * * *

"I keep meeting people I know, or rather who know me, for I am not always sure of them, but none of them very interesting. * * * "

(September 12.) " * * * I find that I enjoy the outside of the buildings more even than the inside, and spend a very considerable time lounging in the boats or elsewhere in the Court of Honor. Last night we had a most

delightful evening in an electric launch upon the water. The whole place was illuminated and seemed like a piece of Fairy land. On the way down the canal we overtook a very musical boat, with a band of genuine negro minstrels on board, and who should be leading them but our old friend Millet,* who seems to be having a capital time here as the Director of Decorations. * * * For our or rather *my* especial benefit, as he said, he directed them to strike up 'Chicken Pie' and 'Watermelons' the moral of each of which songs was that the darkey to get the true flavor of either must borrow the materials of the first and steal the second. * * * "

(September 14.) "I don't know why half the people who come to the Fair do not get sick, or an epidemic break out, for pears, bananas and peaches seem to be the regular diet of every other man and woman you meet. The physical achievements of the women here are beyond belief. They swarm everywhere and appear to consider *man*kind are all proper objects for them to sit upon. * * * "

To the Same

"New York, 18 Octr. 1893.

"I shall send you today under another cover a package of your missing and neglected letters which I am sure will make you very happy. What a good time we had on Sunday and Monday. Sometimes I think that we are hardly thankful enough for our more than thirty years of bliss which has been great indeed, although some of our crosses have been so bitterly hard to bear—but together what is there that we cannot bear? * * *

J. H. C."

* Frank D. Millet, drowned on the *Titanic*.

To the Same

"New York, 2 Nov. 1893.

"Since I wrote you last night I have invited Mr. and Mrs. Russell Wilson of San Francisco to come up with me on Friday and spend Sunday with us and I think they will come. * * *

"Please don't have tame ducks for dinner or lunch while they are there. * * *

J. H. C."

The objection to tame ducks was that he found them hard to carve.

To the Same

"New York, 7 Nov. 1893

" * * * The Election has passed off quietly here, but I don't expect to hear of my defeat till tomorrow morning. That will give me a free summer next year.

J. H. C."

On the contrary, he was elected delegate at large to the Constitutional Convention, of which he was chosen president, and spent most of the summer of 1894 in directing its labors. He was busy with the duties preliminary to the Constitutional Convention when he wrote to his wife from Albany, May 1, 1894:

" * * * I have not until this morning had one moment to myself literally not one. I cannot remain in my room five minutes without having a flood of people pouring in, nor leave it without being tracked by petitioners for these thirty or more paltry offices which are unhappily in my gift. Then as I had to dine on Tuesday night at

Judge Gray's and last night at Mrs. Pruyn's it devoured all the time.

"As I expected there was no opposition to my nomination among the Republicans and probably all the democratic delegates would have voted for me, had our people not made it a party matter. What little I had to say on taking the chair was very cordially received and as the *Tribune* and the *Sun* both sneer, it must have been just about right. Now I have a pretty perplexing task before me in the arrangement of the Committees on which the successful accomplishment of the real work of the Convention depends. It is quite possible that I may have to go to Syracuse tomorrow for consultation. But I hope to spend Sunday in Stockbridge any way. I must have a day or two to myself by that time. * * *

J. H. C."

To His Wife

"Albany, 12 June '94.

" * * * How much you must have enjoyed Mrs. Hardcastle's letter, so characteristic and satisfactory. I couldn't help thinking that if Woman's Suffrage must include such women as she, and there are hundreds and thousands of them, it would not be a perfect system, in spite of the claims of its advocates. Though written and directed to me, it was evidently intended for you and Effie, who of course will answer it. * * *"

(June 14.) "The old men in the Convention amuse me very much. The older they are, the less conscious they seem that they are getting 'out of date' as dear Mabel says. It seems that two of the oldest had made all their plans to be President of the Convention, not having

the least idea that a man could ever be too old for that. So when my time comes, to be old and not know, I must rely upon the children to haul me off whether I will or no. * * *

J. H. C."

He got away to the Harvard commencement, where a gold medal was presented to President Eliot by the alumni, and it had fallen to him to make the presentation speech. As reported in the Boston *Herald*, June 29, 1894, he said among other things:

"It was my good fortune to be at the commencement dinner in 1869 to welcome our then youthful president, on behalf of the young alumni of that day, to his new duties and responsibilities; and perhaps he will permit me to recall that occasion and contrast its spirit with the enthusiasm which pervades our ranks today.

"The corporation then as now, composed of Fellows wise and sensible and old—the youngest of them sixty—had resolved upon a wild, a bold, a startling departure from all the traditions of the college, and had called from the ranks of the alumni a mere youth of thirty-five—a layman, a student and a teacher of science, an advocate for carrying the elective system to its last result. A man who believed that there must be a new Harvard to justify the old Harvard, of which her sons were all so proud, he was to fill the place, the chair, that since the days of Dunster had been occupied by older men, mostly clergymen, men elected because they were already famous men—men who believed in the good old way, who believed that what was good enough for the fathers was good enough also for the sons, and that the chief duty of the college was to prepare men for service in the three

old and time-honored professions which from time immemorial have monopolized the name of learning.

"Well, the overseers had taken the matter up, they had cracked their whips over his head, as overseers are so fond of doing, and then had ratified his nomination, and we came on the next commencement day to eat the commencement dinner, the only institution at Harvard that time has not improved. The aged graduates, from 1800 down, looked a little blue. Speech after speech was made by dignified venerable orators, full of praise of the past of Harvard, but without any allusion or word of cheer to its young president, who was about to take its future destinies upon his shoulders. At last, as the sun's declining rays shot horizontally across Harvard Hall, the presiding officer, in a moment of absence of mind I suppose, called upon one of Mr. Eliot's admirers who had known him from boyhood, who believed in his possibilities, and who then, as now, was willing to say what he thought; and immediately the audience turned its back on the past and looked at the future.

"He ventured to hold up that first and finest example in the art gallery of Harvard, the picture of its five successive presidents, sitting side by side as they sat in life, and he invoked upon the head of the new and youthful president this blessing: that he might combine the virtues of all the five in his life and conduct as president in the place that they had occupied—the rugged honesty and strength of Quincy, the effective speech of Everett, the gentle modesty of Sparks, the genial culture of Felton, and the never-failing wisdom of Walker—and apply them to the discharge of the duties of the consecrated office that he had inherited from them.

"And, brethren, has he justified that hope? Has he

proved himself worthy of the confidence you placed in him twenty-five years ago? Has he accomplished the work that you gave into his hands? Has he kept this, our dear, old Harvard, abreast with the ever onward march of life, of energy, of prosperity, which in one generation has created a new America out of the ashes of war and rebellion?

"I leave you to answer the question as you have answered it. I could not answer it in his presence without shocking his modesty.

" * * * He said in his inaugural address that a university is not built in the air, but it rests upon social and literary foundations that preceding generations have bequeathed, and he concluded that memorable address, which many of you doubtless heard, delivered in the presence of all that was great and good and glorious in Harvard, by this solemn promise—that the future of the university should not be unworthy of its past; and what a glorious past it had already enjoyed!

"The hands of the Puritan fathers had planted it; the bequest of the faithful living and dying, in two centuries, had watered it; it had grown with the growth of the colony. All generations, from Winthrop down, had been busy in building it; all the energy, all the thought, all the life of Massachusetts had found expression here; all the struggles for freedom, all the aspirations for national life, all those controversies and great upheavals of opinion through which this great commonwealth worked its way at last out of the dark night of intolerance, bigotry and superstition into the broad sunlight of liberty, had left their indelible marks upon Harvard College.

"Her alumni had been at the front in every move-

ment for light or liberty. In the revolution, Warren and Hancock and the Adamses, and in the Civil War, then so lately ended, Wadsworth and Shaw and the Lowells, had been but the leaders and representatives of the long roll of honor among the list of her graduates.

"All that was choicest and best in the learning, the culture, the character of this great state had been gathered here, and Harvard was ready at the parting of the way, waiting for her young and enthusiastic president to lead her on, and he has led her on, as he promised that he would, to a future that was worthy of that great past.

"Brethren, I began by saying that I would not praise President Eliot to his face, and I have kept my word. But you cannot speak the truth within these sacred walls, from which the worthies of two centuries look down, but that every word will echo to his honor.

"His brain conceived, his hand has guided, his prudence has controlled, his courage has sustained, this great advance; and if I might in his presence be permitted to ascribe to him one cardinal virtue which comprehends them all, I would say that he has always had as his watchword Harvard's perennial countersign, 'Veritas.'

"He has always been true—true to himself and true to us; true to his own convictions; true to the dreams of his youth; true to the promise of that early manhood, in which he took into his charge the affairs, the honor and the conscience of this ancient university.

"And so, gentlemen, in your name, and under your commission, I bestow upon him this medal, to commemorate this day, as a token of your love to him and of your loyalty to Harvard; and I am sure that he will cherish it in life and will transmit it to his children as your priceless gift."

In the midst of all his other labors in this eventful year he was threatened with the nomination for Governor of New York, but he writes to his wife from Albany on August 15: "I think now I shall escape the governorship, which will be a relief."

To His Wife

"Albany, 24 Aug. 1894.

" * * * We got through Mr. Root's judiciary article last night and it is very much approved by everybody. I am sorry the papers are making so much fuss about me for of course it will all end in smoke. Today I was waited upon by a delegation from the Union League Club of Chicago, urging me to accept their invitation to deliver an address there on Washington's Birthday, which I positively declined some time ago. What do you think of it with six months to prepare? * * * "

(August 27.) "I am so delighted to see that Mr. Morton has come home in good health and spirits and ready to run for Governor. It will get me clean out of it, to my great delight.

"I told the Convention some wholesome truths this afternoon about the condition of municipal affairs in New York which will I hope do good, although they seemed to set a few of the Tammany men on the ragged edge. * * * "

(September 14.) "We expect to sit tonight till midnight, grinding away at amendments, and get through all we can in the hope of being able to finish up entirely in the three days of next week, after which I think it

will be very hard to hold the delegation together. Besides business, something happens every day to call several away. One gets sick, another loses his mother-in-law, another goes home by telegraph to have a baby, so that though we have cut off all excuses except for business, our ranks are never full. * * * "

(Saturday afternoon.) "I do miss Stockbridge and every dear thing in it so much—wife, children, friends, house, garden, lands, horses, cows, pigs, not to speak of the donkey, and I take the greatest delight in the collapse of my boom, in thinking that I shall not be called away from all that to spend the winters in this dreary Albany, and the summers in trotting over this great State to attend county fairs and cattle shows. * * *

J. H. C."

Here is a brief list of the amendments adopted by the convention, to the labors of which Mr. Choate and many others had devoted the summer:

Abolishing the office of coroner.

Providing that no bill shall be passed by the legislature unless it shall have been printed and upon the files for at least three days.

Providing that the speaker of the assembly shall be the next in order of succession to the lieutenant-governor when the gubernatorial office shall become vacant.

Doing away with the $5,000 maximum limit which the law had fixed as the sum that may be recovered in actions for death by accident.

Providing that when the lieutenant-governor shall refuse to put a question, the Senate shall be at liberty to choose a presiding officer who will put it.
Providing that no inmate of a charitable institution shall be deemed to have gained or lost a residence by reason of being such an inmate.
Permitting the sale of the Syracuse salt springs.
Allowing the use of ballot machines at elections.
Requiring aliens to be naturalized ninety days before they can vote.
Fixing the first Wednesday in January for the beginning of the legislature's session.
Prohibiting public officers from taking passes.
Forbidding convict contract labor.
In relation to the terms of State officers—
Fixing the terms of local and county officers.
For the separation of State and local elections.
Providing for non-partisan election boards.
For improving the judicial system.
To preserve the State forests.
Fixing the membership of the legislature and describing the Senate districts.
Farm land drainage.
Educational article.
Charities article.
Permitting the sale of the Hamburg Canal in Buffalo.
Authorizing canal improvements.
For home rule for cities.
Limiting local indebtedness.
Making the amended constitution take effect on January 1, 1895.
Prescribing the manner in which future amendments shall be made.

Incorporating civil service reform in the constitution.
Determining the liability of State bank stockholders.
Making bookmaking and poolselling and all other forms of gambling unlawful.
Providing for the reorganization of the militia.

These amendments were accepted by the voters in November, so that he was able to write to his wife from New York on November 8:

" * * * Well, we have won everything. My summer's work has not gone for naught, and instead of perishing in the night, it has now become a part of the history of the State. The apportionment article on which I laid the greatest stress seems the favorite, and what is most astounding is that here in New York City where every Democrat was instructed and expected to vote against it, it had a clear majority of 4,500 and I am constantly receiving telegrams from Delegates in various parts of the State telling the same sort of story.

"I think that my speech and letter were not without effect, and you will be interested to know that when I said to Mr. Godkin that I was sorry he took the wrong view of it, for it seemed to me that he had written without fairly understanding the matter—to which he replied 'Yes I am sorry too, and to tell you the truth I *voted for it*.' So you see you were right about him. Seth Low also published a statement that my letter had satisfied him to vote for it. Of course I receive a great many congratulations, of which I enclose you two specimens. * * *

J. H. C."

"Washington, D. C. 5 Mch. 1895.

"DEAR CARRIE,

" * * * The Vanderbilt divorce seems to have stirred to their depths not only the four hundred but the four hundred thousand, if we may judge from the Newspapers.

"The poor reporters! How indignant they are not to be able to get at any of the particulars. Imagine what a to-do they would have made if they had got hold of those, if they can cover a whole broadside with nothing. I think the case has been well managed in that at least there has been no filth in sight, and that the whole thing has been kept so profoundly secret. * * *

J. H. C."

In Mr. Choate's letters there are occasional complaints of law cases because they were dull. He did not like them when they were tiresome, though he drudged at them just as faithfully. Along in the spring of 1894 came the retrial of the case of Laidlaw against Sage, as to which neither he nor any one else had any complaint of tiresomeness to make. The newspapers were delighted with it and reported it daily and faithfully with suitable head-lines as the best item of local news. Mr. Choate, Noah Davis and two others were for Laidlaw in his effort to get some recompense out of the venerable Russell Sage for injuries done to him by the bomb of a lunatic person who came to Mr. Sage's office with intent to exact a tribute from him. For Mr. Sage there were John F. Dillon, Colonel E. C. James and Mr. Taggart. The head-lines over the day's report of the trial in *The Sun* of March 28, 1894, read: "The Laidlaw-Sage Drama—Second production of the piece to a crowded house—One proscenium box reserved for the twelve men who are to pass

on the tragedy and who meanwhile are not forbidden to enjoy the comedy scenes." That was the spirit in which the newspapers took the trial. It was great entertainment, and not New York alone, but all the country, participated in the joys of it. The New York correspondent of the Boston *Transcript* said, April 1, 1894:

"Mr. Joseph Choate, who is one of the few men in New York that enjoy national note on other grounds than that of wealth, has more than usually of late amused and instructed the town. The extraction—or better, perhaps, the extortion—of money in public from Mr. Russell Sage, all observers agree, is much more entertaining than an average comedy, and during the first trial of Mr. Laidlaw's suit against him last May the gayety of all citizens but the most miserly and austere rose daily higher. Mr. Laidlaw, it will be remembered, is the broker's clerk whom Mr. Sage (as a jury has now determined) held in front of him as a sort of shield, and so imperilled, during that momentous five minutes at the end of which one Norcross dropped a bag of dynamite on the floor of the money-lender's office. The clerk has never recovered from the physical and nervous consequences of the ensuing explosion, and Mr. Sage—whose life, as most men believe, he saved—has never, with surpassing selfishness, made any real acknowledgment for so rare a service. Last spring Mr. Laidlaw's suit to recover $50,000 from Mr. Sage for the peril in which the latter had almost forcibly placed him was dismissed on technical grounds. A higher court ordered a second trial, which, with Mr. Choate as chief counsel for the plaintiff, last week brightened the whole city.

"Throughout the lawyer seemed at his best, and to win the case for Mr. Laidlaw was apparently the warmest

desire of his heart. Even more than in his closing address to the jury he had his opportunity in his long examination of Sage himself. At times Mr. Choate's manner was of the gentlest, until he seemed to overflow with ironic sympathy for the shortcomings and weaknesses, like failing memory, of the old man from whom once and again he was subtly drawing damaging admissions. His soothing familiarity seemed to lure Sage to confusion, albeit Mr. Choate's cold, eager, brown eyes might well have warned him, until keen questions as to wealth and manner of life and quick exposure of evasive answers brought the money-lender to a plight that might have moved a stone to amused pity. If the town has laughed at Sage he has only his open and petty meannesses, the mixture of envy and contempt in human nature for such a life as his, and Mr. Choate's quick and penetrating wit, to blame. In such hands, shrewd as he is in his business, Mr. Sage could but make a sorry figure, pleading a doubtless cause, on the witness stand. Probably, however, the adverse verdict of $25,000 for Mr. Laidlaw distressed him far more than allusions to his liking for ready-made clothes or disdainful comment upon the 'puts' and 'calls' that have brought him wealth. Yet from the point of view of abstract justice, Mr. Choate doubtless harped too much upon the money-lender's riches beside his client's poverty; while for present effect he always spared the wriggling old man just at the point where sympathy might begin to displace contempt. The higher courts will, of course, be asked to pass upon the trial; but already public curiosity is eagerly anticipating the collection of the judgment."

Mr. Choate has sometimes been accused of cruelty to Russell Sage, and of abusing his own remarkable gifts

of torment in that trial. But after all, Mr. Sage could more suitably be classified as a cash-register than as a human being, and in skinning him Mr. Choate was merely skinning a skinflint. He believed in the justice of Laidlaw's claim and was absolutely scornful of the meanness of Sage in doing nothing for him. Four times he tried his case before juries, and got damages twice, once for $25,000; once for $40,000. But in the end the Court of Appeals decided that Sage need not pay the money. Mr. Choate felt and said that the court had gone outside of its proper province, which was limited to decisions about questions of law, and had meddled with questions of fact which juries had decided and which should not have been disturbed by the higher court.

The Sage case came around again the next year as appears in a letter dated New York, June 18, 1895, to his wife:

" * * * I have just this minute come out of the Sage case and the Jury are now sitting upon him. What they will hatch out we can tell better by and bye. * * *

"I seem to have all sorts of cases presented to me now, as at four o'clock I am to console another young woman who has married in haste and repented at leisure. * * * "

THE LIFE
OF
JOSEPH HODGES CHOATE

JOSEPH HODGES CHOATE

CHAPTER VII

THE NINETIES (*Concluded*)

INCOME-TAX CASE—HIS ARGUMENT—MR. SOUTHMAYD'S BRIEF—CONSTANT ACTIVITIES—THE VENEZUELA SENSATION—DUNRAVEN—AS SEEN IN ACTION—IRRIGATION CASE—STANFORD CASE—McKINLEY ELECTED—THE BACCHANTE—HE RUNS FOR SENATOR—TOBACCO CASE—HIS SON'S CLASS POEM—NAUMKEAG—TAMMANY TRIUMPHS—THE ADDRESS ON RUFUS CHOATE—ROOSEVELT FOR GOVERNOR—JUDGE DALY—RUMORS ABOUT AN AMBASSADORSHIP—IN WASHINGTON—APPOINTED AMBASSADOR TO ENGLAND—HIS LAW PRACTICE REVIEWED

In March, 1895, Mr. Choate made an argument before the Supreme Court against the income tax and reargued it in May of the same year. It has been considered his greatest argument on a matter purely of law. His record is full of celebrated cases. He once said his most famous exploit at law was the Fitz-John Porter case because two court-martials had decided it adversely and the true facts were very hard to gather and put before a court. But then he did that comparatively early in his practice, which perhaps made him look the more kindly on it. Mr. Strong says that the Sage-Laidlaw case provided jury trials as famous as any in the New York records, but neither the Porter nor the Laidlaw case had much to do with the law. The lay pubic inclined to suppose that Mr. Choate was not much of a lawyer, but was a considerable humorist, but in the income-tax case he had no compunction about furnishing the evidence to destroy that theory.

He thought the case was of great importance to civilization—a case that would build a proper rampart around the rights of property, which he seemed always to feel were the real underpinning of civilization. As to that, "Holland," a very well known New York newspaper correspondent, said in the Philadelphia *Press*, May 7, 1895:

"If Mr. Choate meets the expectations of his brethren of the bar in this city with the argument which he proposes to make to the Supreme Court upon the rehearing of the income-tax case, his speech will probably rank with those greater efforts like Webster's in the Dartmouth College case, which have served the country so well in influencing a constitutional interpretation of incalculable value in securing the protection to property and the liberty of individuals. When Mr. Choate went to Washington in April to make his first argument in opposition to the constitutionality of the law he was inspired far more by the impulse of the patriot than the professional zeal of the lawyer. He felt very deeply upon this question. To him it seemed as though a decision affirming the constitutionality of the law would be the most dangerous influence in its results which this country has met with since the pro-slavery men of the South determined upon secession. It seemed to him if the Supreme Court should find itself impelled to declare this law constitutional, that then we should have the most startling illustration of the influence of Populism, and he felt as though such a decision would in the impulses which would follow it simply accelerate the purposes of the Populists so that the next legislative attempt of theirs would be greatly to increase the amount of taxes taken from the wealthy and also greatly to increase the dis-

crimination in favor of those who have not great possessions.

"After Mr. Choate returned from Washington he had astounding evidence of public sentiment. His mails contained many letters, not all of them from men of wealth, speaking in the highest terms of the statesmanlike view which he took in his argument. He found that there were thousands of citizens who felt exactly as he did, that this discrimination against the rich was to be, if maintained, only the beginning of greater and greater discriminations of that sort. He found that the Bar Association of this city with but few exceptions approved his argument and its purely legal elucidations. When it was determined to ask for a rehearing, it being believed by the lawyers that the Supreme Court would grant it, and had in fact intimated so much in the earlier decision, Mr. Choate gave every moment that he could spare from his other duties to further study of this question. He became more and more impressed with the great danger involved. He spoke with very great seriousness of the crisis, and he was persuaded that upon another argument it was reasonable to hope that a majority of the court would become convinced that the law, tainted in part, was tainted in whole.

"I have heard a number of lawyers speak of the argument which Mr. Choate had in mind to deliver to the Bench, and they spoke as though they expected one of those masterly addresses which are fully equal to the great occasion which inspires them. Whether Mr. Choate gave his friends some idea of what he would say or not, I did not learn, but it was evident that the bar of this city expects perhaps the finest of Mr. Choate's powers in this address."

Mr. Choate lived to see the income tax that he abolished restored and paid, but at least he must have approved of what the money thus raised was spent for. His old friend and antagonist, James C. Carter, was the big gun among the distinguished lawyers opposed to him. *The Tribune*, March 13, 1895, says:

"Mr. Carter spoke two and one-half hours, and was immediately followed by Mr. Choate, who, in the remaining forty minutes of the session, made the preface of his argument and outlined its scope. In the beginning he said: 'If the Court please, after Jupiter had thundered all around the sky, and had levelled everything and everybody by his prodigious bolts, Mercury came out from his hiding place and looked around to see how much damage had been done. He was quite familiar with the weapons of his Olympian friend. He had often felt their force, but he knew that it was largely stage thunder, manufactured for the particular occasion, and he went his round among the inhabitants of Olympus, restoring the consciousness and dispelling the fears of both gods and men that had been prostrated by the crash. It is in that spirit that I follow my distinguished friend; and shall not undertake to cope with him by means of the same weapons, because I am not master of them.

" 'It never would have occurred to me to present either as an opening or closing argument, to this great and learned court, that if, in their wisdom, they found it necessary to protect a suitor who sought here to cling to the Ark of the Covenant and invoke the protection of the Constitution which was created for us all, against your furnishing that relief and protection, that possibly the popular wrath might sweep the Court away. It is the

first time I ever heard the argument presented to this or any other court, and I trust it will be the last.' "

The World, The Tribune and other papers had summaries of Mr. Choate's argument. That in *The World*, March 30, 1895, is signed by David Graham Phillips and runs as follows:

"When future American historians fix the due proportion and value of events they will give more space in their histories to the great debate upon the income tax before the Supreme Court of the United States than to the whole four years' administration of many Presidents. 'I do not believe,' said Joseph H. Choate, closing this debate, 'that any member of this court ever sat or ever will sit to hear a case the consequence of which will be so far reaching as this.' And he spoke from a profound and just conviction.

"The Supreme Court, the court of final resort for 70,000,000 people, the custodian and final judge of our rights and liberties under the Constitution, has considered and decided many great questions and has heard the splendid eloquence of many a great lawyer. But never was a question more vital presented to it in the arguments and rhetoric of lawyers more eminent or more famous. Of these lawyers three were pre-eminent—Joseph H. Choate, the most famous throughout the nation; George F. Edmunds, most admired of constitutional lawyers, and James C. Carter, whom lawyers call the leader of the bar in the United States.

"The matter about which the battle raged under these distinguished leaders was the power of Congress to tax the people. As we all know, taxation has been the great question in all histories. It is the goad of taxation that

has driven oppressed people to free themselves. From taxation have come the longest and bloodiest wars. It was taxation that made our own Revolution.

"In this particular issue the two sides divided upon two irreconcilable views of the Constitution. Those under the banners of the Attorney-General and James C. Carter held that the income tax was legally laid by Congress; that the Supreme Court had practically no power to halt or limit Congress in the exercise of the taxing power. They held that this tax was a just and necessary correction of the unequal burdens of our present system of taxation, by which the rich escape and the poor and those of moderate means bear all the expenses of Government.

"On the other side, under the banners of Choate and Edmunds, the contention was that the income tax was the beginning of socialism and communism, the carrying of the outer intrenchments of property rights. They held that the tax had no warrant in the Constitution, and that a decision for the tax meant the restriction of the rights and liberties guaranteed by the Constitution —indeed, the destruction of the Constitution itself.

"As *The World* has believed that the income tax is just and necessary, it is fair that a full hearing be given to the other side. And no better presentment could be made than the speech of Mr. Choate. That eminent gentleman, profound, acute and witty, of the highest type of American, was at his best in this debate. He was the last speaker, and as he went on to rear the firm and graceful and original and harmonious structure of his argument, even his adversaries and the august and impassive Justices of that greatest court of justice on the face of the earth were moved to admiration. It was thought that there was nothing new to say against the

tax, that all argument had been exhausted. But Mr. Choate, fixing his deep, shrewd mind upon the Constitution, found new and plausible meanings there, and made his adversaries feel like Socrates, who was so spellbound by the rhetoric and plausibility of the Sophist Protagoras that he could scarce collect himself for a renewed search for the truth.

"Mr. Choate began by deploring the communistic tendency of the tax. He told how he was riding with ex-President Hayes at the funeral of Gen. Sherman five years ago, and how Hayes had said to him: 'You will probably see the day when at the death of any man of large wealth the State will take for itself all above a certain prescribed limit of his fortune and divide it or apply it to the equal uses of all the people.' Mr. Choate then thought that this was as the wanderings of a dreaming man. But, he said, he would not have thought so had he known that within five years he 'should be standing before this tribunal to dispute the validity of an alleged act of Congress, defended by the authorized legal representatives of the Federal Government upon the plea that it was a tax levied only upon classes and extremely rich men.'

"Further in the same direction, Mr. Choate said, it was not only an assault upon the rich, but an assault of the rest of the United States upon the four States, Massachusetts, New York, Pennsylvania and New Jersey, which paid four-fifths of the war-time income tax and would pay nine-tenths of the present tax, although they had less than one-fourth the representation in the lower house of Congress, where all tax measures must originate. He asked if those two most distinguished men in the Constitutional Convention, Washington and Franklin,

would not have rushed forward to erase their signatures from the Constitution had they foreseen that that document would be brought forward to justify a raid by a combination of States upon the strong-boxes of four other States, wealthier, stronger, richer.

"After this general denunciation Mr. Choate laid down the principles of his argument. It may be concisely stated in this way: The Constitution divides taxes into direct taxes and duties, imposts and excises, which three may be called indirect taxes. Direct taxes must be levied according to population, according to the census, since they are taxes directly upon persons. Indirect taxes, which are taxes upon commodities or occupations, must be levied with uniformity, so that all who use the taxed commodities or follow the taxed occupations shall bear the burden alike. Such, he insisted, were the plain, clear provisions of the Constitution as to the manner of taxation.

"As to the matter of taxation, he contended that the Constitution was no less clear. He held that a tax upon real estate or upon personal property or upon the proceeds of them must, in fact and in the Constitution, be a direct tax. With this established to his satisfaction the conclusion was inevitable that the present income tax was unconstitutional because it levied direct taxes—that is, taxes upon the proceeds of real and personal property without regard or pretense of regard to the census of population.

"He admitted that the tax upon incomes derived from labor was an indirect tax, an excise, but he held that it was, under this law, laid without regard to the constitutional command as to uniformity. And in support of this contention he cited specifically the various persons and companies excluded from the tax.

"The mere statement of his propositions shows how powerful they are if true. Now let us see how he supported these propositions. Let us see the mighty weapon he forged with the hope of giving the income tax a mortal wound. First, let us hear him upon the constitutional provisions for taxation. He found that the Constitution provided in article 1, section 2, that 'Congress shall have power to lay and collect taxes, duties, imposts and excises,' but that 'all duties, imposts and excises shall be uniform throughout the United States.' He insisted that the omission of the word 'taxes' from the second clause was not a slip of the pen, but was deliberate; that the word 'taxes' was intended to mean direct taxes as distinguished from duties, imposts and excises, which are indirect taxes. Then he found that in article 1, sections 2 and 8, it was distinctly provided that direct taxes should only be levied under a census of the population—that is, that representation and direct taxes should go hand in hand.

"So much for the provisions of the Constitution as interpreted by Mr. Choate. And now he goes on to show what are direct taxes. In doing this he freed all who own stocks, bonds, mortgages, all who get their incomes from houses and lands, from the necessity of paying the tax. He insisted in the first place that so far as real estate was concerned no one had ever denied that a tax upon real estate was a direct tax. Then he attacked the contention of the other side that a tax upon an income was not a tax upon the specific sources of that income. He said that a tax upon the rent of real estate is a tax upon real estate itself, and that money got from rent did not lose its specific name of rentals simply because it was in the pockets of a man, mixed with other money. 'I say,' he declared, 'that a tax on land yielding income, by what-

ever name, is in reality, in effect and substance a tax upon the rental. Would any free people, if they had prohibited a land tax, submit to a tax on rentals?'

"He said that the Attorney-General was urging an unsound argument when he urged that though you cannot tax rent, you can tax the money in the owner's pocket received from rent. And he went on to quote opinion after opinion of the Supreme Court that the name does not decide the nature of the real thing.

"With the status of a real estate tax thus established, he went on to say that what is true of real property is true of personal property also. 'I own a house today and sell it tomorrow, and take as its consideration a mortgage upon the same property for its full value. Is a tax upon the house one kind of tax and a tax upon the proceeds of the house another? It cannot be. A tax upon personality has all the elements of a direct tax, exactly as a tax upon real estate. It is directly imposed; it is presently paid; it is ultimately borne by the party owning it. There is no chance for him to escape from the tax but to run away.'

"Mr. Choate now outlined the history of the compromises by which the makers of the Constitution agreed upon the two systems—the uniform indirect tax and the direct tax by apportionment by the census. His reading of history was that the rich seaboard States gave up to the Union the right to levy customs duties and to regulate interstate commerce, rights which had been their chief sources of revenue. In return for this the smaller and poorer States agreed to the inequality of the apportionment system of direct taxation.

"He told the story of those days and quoted statements from makers of the Constitution to show that

this inequality was perfectly understood and that with this understanding the bargain of Federal union was struck. Now, he said, the weaker and smaller States were trying to repudiate the bargain. He said that this principle of direct taxation according to representation was the only thing that was affirmed twice in the Constitution. This was done, he said, so that 'when a man came from a poor State to put a direct tax upon Massachusetts or New York or Pennsylvania, however poor his State might be, however small might be its population, it should bear just that proportion of the tax.'

"Mr. Choate now took up former decisions of the Supreme Court upon income taxes, and asserted that his particular strictures upon such taxes had never been before the Supreme Court, had never been decided. In all other cases, he said, the law had been attacked upon different grounds, and therefore the court could decide for him without reversing itself, because all other decisions had been limited decisions, setting forth that particular objections to income taxes were not well founded. He reviewed each of the five cases under previous income tax laws and found that the court had never touched upon the points he had raised.

"Mr. Choate had now destroyed to his satisfaction that part of the income tax law which assessed incomes derived from real estate and personal property. He maintained that he had shown that under the Constitution these were direct taxes, and could only be legal if laid by the census without distinction. He also felt that he had shown that the Supreme Court was not in any way hampered by any previous decision for an income tax.

"And now began his assault upon the part of the in-

come tax law which even he admitted provided for indirect taxes. He had already shown that the Constitution provided explicitly that such taxes must be laid uniformly. He asserted that under this law they were not laid uniformly, but with ridiculous and scandalous exemptions. Four thousand dollars, the income exempted, was, he said, the interest upon $133,000 at 3%. He scouted the idea that this was a just exemption. He maintained that this was luxury, and that $1,000 was the highest possible just exemption. The exemption of individual incomes of $4,000 and the taxing of corporation incomes of the same amount was a further violation of the principle of uniformity. 'Could Your Honors,' he said, basing his satire upon his proposition that this tax was of the nature of a duty, 'justify an act that a given brand of tea should pay a duty of ten cents if imported by an individual, or twenty cents if imported by a corporation, and no duty at all if imported by a mutual association?'

"And now he was laughing at the exemption of rich church and college corporations, was deriding the exemption of mutual associations, which go free on the plea that they are benevolent institutions. He could not see why citizens of Nebraska should be practically taxed to support Trinity Church or Harvard College. As for the mutual associations, their total deposits were near two thousand millions, and greater than the total deposits of the State and national banks. He was mightily amused that the Mutual Life, with $204,000,000 of accumulations, and the Equitable, with $185,000,000, should get out of $200,000 and $180,000 income tax annually because they were benevolent institutions, but he failed to see where the constitutional command that there must be uniformity was obeyed.

"Most of the widows and orphans, most of the helpless, he said, had their small capital invested in corporations, and the income tax robbed them. 'We speak for them,' he said. 'In striking at the corporations, in attempting to confiscate their property, you injure, not the wealthy—they can now stand it—but the widow and the orphan.'

"Such was the argument of Mr. Choate. He paid small attention to the arguments from public policy, from political economy, with which his adversaries dealt so admirably. He kept close to the Constitution and addressed himself to the interpreting of constitutional principles. And when he sat down every one there present felt that the best that could be said had been said, that the income tax had had its worst blow. If it withstood that splendid assault of close-armored, close-ranked arguments, there was no chance for its overthrow."

Of Mr. Southmayd's part in the income-tax case, Mr. Choate spoke most generously in his address on Mr. Southmayd before the Bar Association of the City of New York on May 14, 1912: "This Bar Association," he said, "has never had or lost a member who reflected upon it greater honor than Mr. Southmayd. If Mr. Evarts were alive today I am sure that he would join with me in declaring that much of our professional success and repute was due to his support, his assistance, his inspiration.

"For myself, I can give no better illustration of this than in the celebrated Income Tax case, in which was accomplished what was at the time regarded, at home and abroad, as the almost impossible achievement of overthrowing, in the Supreme Court, the entire scheme

of an Income Tax embodied in an act of Congress. I might almost say with entire truth that it was Southmayd, who never went near the Court, who won the case. He was then seventy years old; he had retired from practice ten years before, and all that time he had refrained from any legal labor. In fact, as he claimed, he had ceased to be an attorney at law, and when he had occasion to put his name to a brief, he always signed Charles F. Southmayd in person.

"What he regarded as the iniquity of the Income Tax aroused all his old-time energy. By this time he had an ample income of his own which was affected, and he had a strong idea of the right of property being at the foundation of civilized government. Other men have five senses, but he had a sixth—the sense of property—very keen and very powerful; and he also had an abiding allegiance to the Constitution under which the country had so long prospered, and an abhorrence of any violation of it. So, when he heard that I was to be in the case, he volunteered to prepare a brief, which proved, when completed, to be the keystone of the whole argument, and, indeed, of the decision which overthrew the Act of Congress. The Constitution had provided that direct taxes should be apportioned among the states according to their respective numbers, but this Act had levied all taxes upon income, from whatever source derived, indiscriminately upon all alike, without such apportionment.

"To his clear mind, whatever else might be disputed, a tax on land was certainly a direct tax within the meaning of the Constitution, and a tax upon the income of land could by no possibility be distinguished from a tax on the land itself, for it was a tax on the land from which

the rent was derived, and was therefore necessarily a direct tax; a tax upon the income of accumulated personal property could not be distinguished in principle from the tax on rents;—and these all being found to be direct taxes, and therefore unconstitutionally levied, the Court in annulling them must find that Congress without them would not have enacted the rest of the tax, and therefore must declare the whole Act void.

"This was the whole argument in a nutshell, and it all rested upon his first proposition, which was absolutely unanswerable then and is unanswerable now, and can never be answered, except by an amendment of the Constitution, which I, for one, hope will never be carried through, because it will throw almost the whole burden of every Federal Income Tax upon a very few of the larger States. However that may be, it was his masterful brief that drove the entering wedge which by its cleavage demolished the Act, while the rest of us who appeared in Court, and argued the cause to its final conclusions, on the foundation which he had laid, won an undue share of the glory. I have heard from the Clerk's office that all the judges called for extra copies of his brief, but for none of the others."

Mr. Choate made his first argument on the income tax on the 13th of March. Intervals of repose and self-congratulation after his more strenuous efforts were not at all part of his programme. He seems to have rested himself habitually by doing the next thing, and doing it as hard as was consistent with the tranquillity of his temperament. Out of his scrap-book it is possible to get an idea of the variety of his activities in this year of '95. On March 15 we find him speaking for the New

York Kindergarten Association before the Chamber of Commerce. In May he had a second turn at the income tax, and in June he had his fourth go with Mr. Sage in the Laidlaw case, and a week later appeared for Executor Barling in an application by Mrs. Hetty Green to get rid of him. On June 25 he spoke in Boston at the dinner given to Professor Langdell of the Harvard Law School, a very considerable occasion, and doubtless made other discourse at the Harvard commencement. After that letters dated from Stockbridge imply that his vacation had begun. On the 22d of August he was a speaker at Professor Norton's annual Ashfield dinner in behalf of Sanderson Academy. Ashfield is in the Berkshires, and no doubt Mr. Choate went over there to contribute entertainment and edification as a neighborly act. In September law labors had come around again, and on the 30th he was the lawyer for the American Tobacco Company to defend it against the disposition of the government to dissolve it as a trust. In October he was as full of politics as his other engagements allowed—fighting Tammany as usual, speaking as the representative of the Committee of Fifty, helping to elect Governor Morton and Mayor Strong, and having withal a lot of fun as usual, especially with the Goo Goos (Good Government Club), whom he helped to get their emblem on the ballot, and made fun of between times, and went to the dinner at which they celebrated what they had done. Immediately after election one finds traces that he is in increased disfavor with the Irish and the object of verbal assaults by Patrick Egan, but that would probably not have taken up any of his time. On the 10th of November he spoke as the representative of the Municipal Art Society at the unveiling of Simmons's decorations in the new court-house. Later in the month he appeared

for the Milk Producers' Association before the Interstate Commerce Commissioners in a dispute with the Erie Railroad, but that was in the line of business. It was not in the line of business that he spoke at the St. Andrew's dinner on the 30th of November, nor yet that, "by request of Miss Florence Fairview," he represented the United House-Smiths at a conference with the Iron League, nor yet that he spoke on December 22 before the Board of Estimate on the need of compelling charitable institutions where the city paid children's board to put the children out into families as soon as they could, and not keep them in institutions until they become institutionalized. In that effort he opposed Commodore Gerry, who wanted the Children's Society to attend to all that, but Mr. Choate would not agree, though he was a director in the Commodore's society. Finally, on December 27, came the hearing on Lord Dunraven's charges that the Yankee winner hadn't played fair in the yacht-race.

This list of his labors, very far from being complete, only includes a part of those that were notorious enough to be news for the papers, but it may give some idea of the variety of the things he did. But, as said, after commencement he went to Stockbridge. From there he writes, on July 15, to his daughter:

"Stockbridge,
Monday, 15 July, 1895.

"DEAREST MABEL:—

"I received your telegram early this morning and replied that Effie was better and that you must not change your plans on her account. Poor thing! she is still very ill as you may suppose. * * *

"This morning the troop of U. S. Artillery so long heralded passed through town on their way to Bear Town

for a two months' camp for practice and drill. Of course the whole town including all the clergymen were out to meet so novel a sight. The Stockbridge Band tendered them a complimentary escort, to supplement their single bugle. They halted in front of the Hotel and Mr. Plumb regaled them in the street with pies and Mr. Clark afterwards with cigars (bad of course), so that when the bugle sounded for the advance each soldier started with a long nine in his mouth. * * *"

To the Same

"Stockbridge, Mass.
16 July 1895.

" * * * A signal event happened yesterday—Prof. Rood was seen taking his first lesson on the bicycle on the little stretch of road between his house and Mercer's Cottage. It seemed to be a great struggle, but he will doubtless try again and succeed so that you will have another companion in your excursions, and who knows but that before you get home I may have been inspired to learn. * * *"

Just as a happy nation has no history, so the happiest periods of Mr. Choate's life left no record. When he was at home with his family he did not write letters to them. We hear from him again when he has got back to town, and the accents are familiar:

To His Wife

"The Century Association
New York, 5 Octr. 1895.

"There is no telling how lonesome I have been since Mabel left, but then I have been very busy and shall be for a week, working up a new case on a subject wholly

new to me, and so, very interesting, to be argued at Washington on the 21st they say, but likely enough to be postponed until the Court is filled by the appointment of a new Judge in Justice Jackson's place. But I have to be ready all the same, and that accounts for my having to stay here when I really ought to be with you in Stockbridge.

"I have moved to the Union League where I have got for a wonder a big square room and am very comfortable indeed. I tried in vain for a room both at the Metropolitan and the University. I dine here at the Century where I almost always find some good fellow to sit with. Last night it was Dick —— who had a great deal to say about ——, and is not at all reconciled to her adventurous course. It seems that he did go with her to the altar and left her there, not being willing to give her away, and so that part of the service was omitted as it may be without harm. He says —— will not recognize —— in any way, and that he himself has never seen him except on the day of the wedding. I have had several interviews with the eight-tongued one at Madison Ave. He is now a theosophist, doesn't care whether he lives or dies, because he believes in re-incarnation, and that if he dies he will soon come back, as he knows he has been here several times before, in various shapes, although he can't remember it. He is writing a new criminological romance intended to illustrate the perpetual conflict between environment and heredity and is altogether a most amusing character. * * *

J. H. C."

To the Same

"New York, 7 October, 1895.

" * * * All the anti-Tammany forces have united on Mr. Beaman for a Judge of the Supreme Court, and have

persuaded him that the use of his name is necessary for another triumph and so he has consented to run, and I'm afraid he will be elected much to our loss. He would probably like the life, have less work, and get three or four months vacation every year, but couldn't run to Blowmedown * every few days throughout the year as he does now.

"Mr. Carter has just arrived here looking very old and tired I thought, but perhaps he had been in a Goo-Goo Conference at the City Club. * * *

J. H. C."

"Union League Club, New York.
Monday 2:30 P. M. Oct. 14, 1895.

"My Dearest Effie:—

"I am just off for Washington, on the very finest day you ever saw, and although I have nothing else to say I write to tell you how very, very dear you are, and how I insist upon your getting better and better every day, and how everybody I meet is interested in your welfare. Everybody I talk to wants to know all about you, whether they ever saw you or not.

"I have just heard that my case which was to be argued next Monday, and which for that reason has been pressing me so, will probably be adjourned by the Court, and if that should turn out to be so, and no other bugbear turns up, I may very possibly get next Saturday and Sunday with you in Stockbridge, which I very much wish, for I miss my visits to you so much and I do want another forenoon on the Lake and another long ride over the hills.

"It poured all the way till I got to New York, and I

* His country place.

imagined the dear L. L. C.* riding drearily home in the wet and the dark.

"I met Mr. Rhinelander and one of his sons this morning. I couldn't tell which—but it was the other one—who was not at Daisy Wells's wedding and they asked most kindly for you. They said Tom's wife *and son* were prospering well now.

Ever your loving, PAPA."

"Tell Mama my new trousers came in time, so that she need feel no shame of me, and that I will drink no water so that she need have no fear for me."

To His Wife

"New York, 16 Octr. 1895.

"MY DEAREST,

"This has been just such a day as it was 34 years ago and on my way from Washington in the Limited I have recalled all the events of that great red letter day of our lives and don't really see how we could have done better. You have been to me all and more than all that I hoped, and I haven't begun to be tired, as Suzette feared Carl might after four weeks. * * *

"I had quite a compliment on the street. As I was crossing the Avenue near the Capitol a very good looking man who was spinning by on a bicycle suddenly stopped and jumped off, and said 'Isn't this Mr. Choate?' I said 'Yes.' 'Well,' he went on, 'I'm a lawyer and I only stopped to pay my respects, recognizing you by your photographs, and I wanted to say that I esteem you just as much as all the rest of the lawyers in the coun-

* "Lone Lorn Critter," one of his names for Mrs. Choate when she seemed overanxious about anything.

try do,' and upon that he remounted and was off again before I could even find out who he was. * * *

J. H. C."

Late in 1895 came the Venezuela sensation, when Mr. Cleveland and Mr. Olney stirred up the British lion. How Mr. Choate felt about it is discernible in his remarks at the New England dinner in New York on Christmas eve, when he rose, after Senator Morgan had spoken an hour and a half, to respond to the toast, "The Constitution and the *Mayflower*." A newspaper of the day says he quoted an old prophecy and said:

"I can give but one translation, and that is that he, whoever he may be, that creates or provokes an unjust or unnecessary war is no true descendant of the Pilgrims and the Puritans. Our Pilgrim fathers did believe in war, but only on one condition. They consented to it in the constitution, in the cabin of the *Mayflower*, when they wrote and subscribed their names that for the glory of God and the furtherance of the Christian faith and the honor of their country they bound themselves to submission and obedience to just and equal laws. And how true they and their children were in this very matter of peace and war was shown by the fact that they never encouraged, they never favored any war unless it was for the glory of God, for the furtherance of the Christian faith, and for the honor of their country. And it was in that spirit that the children of the Pilgrims and the Puritans have been parties to two great wars—the war of the Revolution, which secured the independence of their country against British aggression, which had become intolerable, and the war for the union, when they

JOSEPH HODGES CHOATE AT FIFTY YEARS OF AGE.
From a photograph by Sarony.

gave their fortunes, their lives and their children for the support of the government which their fathers had founded. But now we are confronted with a new condition. (That is a quotation.) And how shall we meet it? In what spirit? I sit at the feet of a great master, and I will tell you. Let me read to you what John Bright says, one of the truest friends that America ever had; what he says in a similar emergency which threatened his own country. Apply it, gentlemen, to the subject and the hour. Substitute America for Europe and for Britain in his utterances, and you have all I have to say on the present emergency. He says:

"'It becomes a great state like this to set always to the world a great and noble example. We must always remember that the greatest of British interests is the interest of peace. Five years hence, if this matter be settled and we do not interfere, we shall be delighted that we did not interfere. Five years hence, if we do interfere, we shall lament for the dead whose blood has been sacrificed, for the treasure that has been wasted, and for the added discord that we have brought to Europe, and it may be for the humiliation of our statesmanship. Let us try to be just to all nations as far as we can, getting rid of the jealousies that have disturbed them. Let us believe that whether it be the United States on the other side of the Atlantic or the great empire of Russia in the east of Europe, that there are good and great and noble men in those countries.'"

Mr. Choate's last notable job of this busy year was to appear (December 27) for the New York Yacht Club at the investigation of the charges of Lord Dunraven, who brought over *Valkyrie III*, and sailed her for the

America's cup. Lord Dunraven had imbibed the unpleasant suspicion that ballast had been surreptitiously introduced into the American contesting yacht, *Defender*, and that that boat had been more deeply immersed on the 7th of September, when she sailed the race, and therefore had a longer water-line, than on the 6th of September, when she was measured. Mr. Choate examined Lord Dunraven as a witness. Whether his lordship was ever convinced that his suspicions were unfounded does not appear, but certainly most other persons were so persuaded, especially after the newspapers had published their reports of the questions Mr. Choate put to him, and his replies.

Moving pictures had not become a habit in 1895, but here are some reporters' stories that go a little of the ways to show Mr. Choate in action about that time. One is from the New York *Press* of December 20, 1895, whose representative says:

"It has afforded me considerable amusement to notice the attitudes assumed by prominent men riding in the elevated cars from home to business and back again. A good deal of character pops out now and then. Joe Choate drops into the northeast corner of the first car and curls himself up as if he were to settle there for life and cared for no creature in the world, not thinking of himself or of his appearance. He sees no one in the car. His mind is elsewhere."

(He once confessed to choosing the corner seat "so as not to be bored on more than one side at once.")

Five months later, in May. 1896, the *Mail and Express* had a similar tale:

"I saw Mr. Joseph H. Choate in an elevated car the other day, a day full of perspirations and prostrations, and he was more comforting to look at than the finest sherry cobbler ever designed by a master's hand. There was in his manner and appearance none of that smouldering indignation which you can trace in the countenances of most of the persons who arise in the morning early and mow themselves with their own scythes. I am told that Mr. Choate shaves himself with a Toledo rapier, and bathes his face in water specially imported from the north side of the oldest well in Topsfield, Mass. The guard on the car assured me that the company ought not to charge anything for transporting Mr. Choate. 'He cools a whole car,' said this admirer; 'he beats an electric fan all to pieces.' Hundreds of persons board the train at Fiftieth Street every morning solely for the purpose of making themselves comparatively comfortable by looking at Mr. Choate."

A third story, origin not given, and hardly of a dignity to find a place in a biography, still discloses in an amusing way how Mr. Choate in the real heat of action maintained his energies with least obstruction to the processes of active thought:

"The colored gentlemen who stand in an imposing row behind the long lunch counter in Nash & Crook's restaurant and wear white jackets the year round, regardless of the condition of the thermometer, were on the *qui vive* for an extensive order and a liberal fee when an elegantly attired gentleman in a light spring top coat and a shining silk hat rushed breathlessly into the restaurant recently with his arms full of legal papers and threw himself on to a bracket (?) with a famished look in his eyes.

"They of the white jacket made a rush for his section

of the counter, and the lucky one who got there first had hardly begun to polish the marble with expectant empressement when the gentleman said:

"'Hi! Give me a cup of coffee, quick!'

"'Cert'ly, Sah! What else?' responded the ebony gentleman, with a slight diminution of enthusiasm.

"'Nothing else,' retorted the customer, with an asperity that has made Judges quail on the bench before now.

"Before the waiter brought the coffee the gentleman left the bracket and rushed over to the oyster-stand where he seized a handful of crackers from the dish on the counter, and then swept back to his stool. Here he seized the coffee cup, and breaking the crackers into it, proceeded to bolt them with a spoon. The long row of waiters stood aghast, and watched him in horrified silence.

"'Golly!' said he, who had been fortunate enough to get the order at last, 'I'm ec'nom'cal myse'f, but I'm hanged 'f I'm ec'nom'cal as dat. Ten cents foh a lunch! Great Moses!'

"'Guess he muss have been stuck in the Marine Bank,' suggested another.

"'Or else loss his change in de bottom of a street car,' hazarded a third.

"But the object of their comments rapidly finished the contents of the cup without hearing their remarks, threw his check and a dime onto the cashier's desk, purchased two twenty-five cent cigars at the establishment of Mr. Michael Kelly in the corner, and hurled himself and his legal papers into the street.

"'Say!' said one of the gentlemen of the white jacket to Mr. Kelly after he had left, 'better see 'f that hawf dollaw's any good 'fore you try to pass it.'

" 'Don't you know who that was?' was the response. 'That was the Hon. Joseph H. Choate.'

" 'Dat so?' inquired the bewildered waiter. 'I fought he had all the money he wants. Gorra-mighty, bet 'f I was him I'd have quail on toast!'

" 'Now see how easy a man can get a reputation for being close,' observed Mr. Kelly, philosophically, when the waiter had returned to his dishes. 'Mr. Choate is one of the most liberal men with his money in this city, and because he runs in to get a cup of coffee to stay his stomach, without spoiling his dinner, those black rascals think he's trying to save money.'

"And Mr. Choate, in the dim recesses of the Surrogate's Court, continued to harass ex-Senator Roscoe Conkling with a running fire of sarcasm, unaware that his fair fame had been blighted forever."

To His Wife

"The Arlington, Washington, Jan. 14, 1896.

" * * * One of my three cases here came on today and is to be continued tomorrow, but the Irrigation Case seems hardly likely to be reached until next week. But I have so much to do in preparing for it and the Stanford case that I must stay here until they are argued. They are too important to leave and you know how impossible it is for me to escape from pursuers in New York. Even here the reporters are if possible more saucy than in New York. Last night I went to bed, which I have always believed to be a safe refuge you know, and at midnight there was a cry heard and a knock on the door—two California reporters who must see the Attorney General's brief in the Stanford case, of which they had heard I had a copy. * * *

J. H. C."

Of the irrigation cases, the Washington correspondent of *The Tribune* said (January 17):

"Joseph H. Choate, the well known lawyer of New York, is at the Arlington. Mr. Choate has several cases to argue before the United States Supreme Court, the most notable of which probably are the California irrigation cases, in which ex-President Harrison and Judge John F. Dillon are also concerned. The point of constitutional law involved is one of general interest, while the subject matter of the suits is of the most vital importance to the people of California. Under what is known as the Wright act, irrigation districts are created and these issue bonds as municipal corporations, impose irrigation taxes, and with the money thus obtained construct and maintain waterworks for the purpose of reclaiming the arid lands. The law has been upheld by the California Supreme Court, but in the United States Supreme Court after one hearing it was disposed of. The problem which causes the most trouble can be stated in a few words but the most profound lawyers in the country have given the deepest thought to the subject and have reached no certain conclusion. The question is, does the delegation of such powers to a district for the purposes of building waterworks constitute a delegation of sovereignty. If it does, the law is void. Millions of dollars' worth of property, including vast amounts invested in bonds of districts already established, which are held in all parts of the country, is involved, and the 'Treager case' will rank with the Dartmouth College case and the Wheeling Bridge case in point of importance and national interest."

As to the Stanford case, *The Associated Press* despatch, dated Washington, January 28, reads:

"Argument was heard today by the Supreme Court of the United States in the famous suit brought by the United States against the late Senator Stanford, of California, as a stockholder in the Central Pacific Railroad Company, to establish his liability for the debts of that corporation to the Government. The importance of the suit, with its far-reaching consequences if the contention of the Government should be sustained, and the popular interest of the case, attracted a large attendance to the court. Among the auditors was Mrs. Stanford, to whom the determination of the litigation means so much. Should it be adverse, the result would beggar her, and render it impossible to continue the work of the Leland Stanford, Jr., University at Palo Alto. The argument was opened by Assistant Attorney-General Dickinson, and will be closed by Solicitor-General Conrad. Mrs. Stanford was represented by Joseph H. Choate.

"The suit was originally begun in the Circuit Court of the United States for the Southern District of California, the demand being for $15,237,000. Both in that court and in the Circuit Court of Appeals the Government was defeated, and the case comes to the Supreme Court of the United States by appeal from the judgment of the Court of Appeals against the United States."

To His Wife

"Washington, D. C. 16 Jany. 1896.

" * * * Almost everybody in Washington is decidedly Jingo—apparently upon the idea of standing by the President against a foreign power no matter what he says or does. The Tuckermans and Wards, however stand firm, but Emily says it isn't safe now inviting a miscellaneous company to dinner without knowing their

opinions beforehand, because the Jingoes are so loud and angry in their denunciations of all who don't fall into line.

"I enclose a page from the *Congressional Record* containing a speech of Senator Vest of Missouri delivered in the Senate last week in which he shows up the Supreme Court and me in connexion with it in first rate style. You will find it good reading, but it's a pity that Senators can't find some better use for their time. * * * "

So apparently thought the Washington correspondent of the Boston *Advertiser*, who said on January 18:

"J. H. Choate, the New York lawyer, who gained much fame in arguing the unconstitutionality of the income tax and who was the subject of an attack for so doing by Senator Vest in his recent speech, is in town. The rumor that he has come on to arrange a duel with the grey-haired Missourian is untrue."

To His Wife

"Washington, Jan. 18, 1896.

"I meet a good many people, but you would be surprised to see how little they are disturbed by the President's antics. The official atmosphere seems to overwhelm the average man."

(January 20.) "Yesterday I had a pleasant lunch at Judge Field's, with Judge Brewer, Henry Field and Senator Perkins of California, one of those accidental Senators who began life by running away from home in Kennebunk, going several voyages before the mast, landing in California at a lucky moment, climbing to the

Governorship & then going to the Senate. In the evening I dined at the Williams's. * * * Admiral Walker was there, and Genl. Foster who went to China and negotiated for them the peace treaty with Japan, for which he is said to have received a fee of $100,000. He gave me a most interesting account of going to Pekin to expound the Treaty to the Grand Council. Dr. T. DeWitt Talmage is here, as boisterous as ever. Also Mr. Coudert in search of the Venezuela Boundary. Everybody here is still wild."

General Foster, whom he speaks of, was the father-in-law, and reputed tutor in diplomacy, of Mr. Lansing, secretary of state for President Wilson.

(January 22.) "I am truly sorry at the prospect of being kept here so long, but now fear that I shall be kept here all next week, for after the Irrigation and the Stanford cases, Mr. Rowe is to come down and cram me up for the summing up of the *milk* case which is set down to be argued here next week.

"The bores are beginning to find me out. I have just had a crazy lawyer down from New York who talked me nearly to pieces and I only said 'Yes! Yes! Uh! Ah!' which was certainly easy. 'Squire' Smalley is here getting up his letters for the London *Times*. He thinks he finds a great change of feeling among all the officials here, and that they are looking for some hole to creep out of."

(January 25.) " * * * You cannot imagine how lonely I was yesterday to have to spend my birthday alone. However, I was frightfully busy and at last be-

fore the day closed began my own argument in the Irrigation cases which will be finished on Monday afternoon when the Stanford case will be taken up to be finished on Wednesday. You will appreciate what a relief it will be to get rid of two such loads together. One gets so tired of carrying the details in one's head, which makes it almost impossible to think of anything else. After that my milk case will detain me a day or two and I shall come on Saturday morning. * * * One ought to have a double head to carry these two cases together. Last evening my twin and I celebrated our birthday by going to the theatre together to see 'Madame Sans Gêne,' and found it very interesting. Tonight I am to dine again at the Wolcotts' to meet those jingling jingoes, Cabot Lodge and Theodore Roosevelt, both of whom I think would like very much *the fun* of a war with England. * * *

J. H. C."

"The Arlington, Washington, D. C.
26 Jan. 1896.

"DEAR MABEL.

" * * * Last night at the Wolcotts' I met Speaker Reed and Mrs. Reed who evidently have a strong hope and expectation of taking the places of Mr. and Mrs. Cleveland. Mr. & Mrs. Roosevelt were there too. They are great devotees of Mr. Reed. Roosevelt says that Platt is after his scalp and is trying to get the Police Commissioners legislated out of office. What a shame that such a man as Platt should have so much power!

"I keep receiving a great many more invitations to dinner than I can possibly attend to and think I must get a double to do that part of the work for me."

To His Wife

"Washington, D. C. 28 Jany. 1896.

"I can not tell you how great a sense of relief is coming over me, at the prospect of getting rid in one hour more tomorrow of the Stanford case, having concluded the Irrigation case yesterday. I have been brooding over them so long that my brain has hardly been able to hold any other thing. The milk case will be just nothing at all.

"I have just telegraphed you to send me some more visiting cards. Etiquette rules everything here, and I find it necessary to make any quantity of calls.

"Yesterday I made the round of the Justices' wives and called on Mrs. Cleveland who seemed to have a great crowd. * * *

J. H. C."

He got back to New York to more work and more dinners—the Harvard Club dinner on February 7, the Ohio Club dinner on February 8; to an address to the Consumers' League, on February 12, to help the shop-girls; and so on, about as usual.

On April 11 the Raines Law case began, in which Mr. Choate, as counsel for the brewers and maltsters, attacked the Raines Law as unconstitutional. Public memory may be growing faint as to the details of the regulation of the sale of intoxicants while there were still intoxicants sold, but the Raines Law had to do with the regulation of saloons and of licenses, and though it was not a particularly good law, Mr. Choate failed to upset it.

On April 13 he represented New York at the semi-

centennial jubilation of the Pennsylvania Railroad in Philadelphia. He made a very amusing speech, but duly enriched with matter fit for thought, as all his speeches were. The next day the Republican Club in New York gave him a dinner, and of course he spoke at that.

To His Daughter Josephine

"52 Wall St.
Tuesday morning, June 9, 1896.

"My Darling Effie:—

"I must write you the very first thing before crowds of people come in (as they always do) and interrupt the pleasantest thing I have to do today. First, let me say how delighted I am to feel that you are out of this furnace heated city, and at least within hearing of the cool breezes of Berkshire, for today is one of the worst of those hot, moist, sticky and damp, unpleasant days which wear everybody out, and which you particularly found so wilting, and this in spite of several thunder showers which began while I was at dinner and lasted till after their music had put me to sleep. The house I found very desolate and forlorn. Think how much was gone—you, and Mama and Mabel and Polly and Dinah, to say nothing of the innumerable '*things*' which have disappeared from sight, and which ordinarily make the house sightly and comfortable. Where have they all gone? However, Emma and Matilda were delighted to hear that you had got to Stockbridge so comfortably and are immensely interested in your welfare. I had to tie two knots in my handkerchief coming down, by dint of which I remembered to mail Dr. Kinnicutt's letter, and then to go

to the Metropolitan Club and order Mabel's bicycle to be packed and sent to Stockbridge, which will be done today by Adams Express. * * *

PAPA."

To His Wife

"New York, 22 June 1896.

"On my return from Court this afternoon I received the very shocking news of the sudden death of our friend Genl. Bristow, who breathed his last at noon today. * * * I had known him so well and been with him in so many things, that his death is more of a shock to me than that of any other man would be except one of our brothers or Mr. Carter. * * * He was one of our noblest men, and it will not be easy to find his peer. * * *

J. H. C."

Josephine Choate died at Stockbridge on July 20, after an illness lasting nearly two years.

To His Wife

"New York, Oct. 7, 1896.

"MY DEAREST ONE,

"How fearfully lonely you must feel just now, with not one of us at hand to cheer or to jeer you. It makes one miss our darling lost ones more and more. I have been irresistibly drawn toward Woodlawn since I found myself in New York, and today after breakfast I went to the depot intending to visit that sacred spot, but no study of the time table enabled me to see any way in which I could go and return before the meeting of our Board. But I shall certainly go some time tomorrow. My case that I intended or was ready to argue here on Friday has 'gone off' till November—another instance

of my favorite theory that if I get ready all along the line, at least half of my adversaries will be sure to back down. This will enable me to come up by the nine o'clock train on Friday after registering, and so I shall have at least a full week again in Stockbridge.

"The meeting of our Board of Trustees was a successful one. Every Trustee was present except President Cleveland, and Judge Endicott who is reported as in a very bad state. Some days he appears well enough, but on others he fails to recognize his best friends. The question of dissolving the Trust* and distributing the money which Mr. Peabody provided might be done by consent of two-thirds of the Trustees after thirty years, was indefinitely postponed. We all thought that to distribute the money in the South as matters now stand would be little better than throwing it away. Next year I hope you will be able to attend the meeting with me as you have never yet had a chance to do. Members from the South bring their wives and daughters along and make it quite interesting. Twenty-one will dine together tonight without me or Mr. Morgan or Mr. Evarts who for the first time said he couldn't attend, for no particular reason, but I suppose it is quite out of the question now for him to sit so long. Mary was in charge of him all day; that is, she brought him in the morning and came and waited for him in the afternoon, and he seemed to me to have declined somewhat since Spring.

"I suppose that Mabel got off yesterday, and trust she will sleep long and well in Newport. We must look well after her now.

"With much love to dear Kitty,

Ever your devoted, J. H. C."

* The (George) Peabody Trust for education in the South.

To the Same

"Washington, 20 Oct. 1896.

"At this Arlington you do see all sorts and conditions of men. Today at the lunch table next me sat two refined looking Chinese in their pigtails and blue silks eating oysters with a fork and chicken livers and rice like any Christians. On inquiry they proved to be gentlemen sent over here by the Chinese Government to inspect our shipping, and to learn and report about that. * * * J. H. C."

"The Century, 7 W. 43rd St.
21 Oct. 1896.

"DEAR MABEL,

" * * * I have been for the first time today in the new Bar Association Building which is a perfect marvel of beauty and comfort—I was indeed very proud to see my portrait on its walls, and must take you there to see the Library at the first opportunity. PAPA."

To His Wife

"Union League Club.
New York, 3 Nov. 1896.

"This is going to be a tremendous night in New York —everybody is highly excited and apparently determined to sit it out until McKinley is elected. New York City is the only place heard from as yet, and that of course gives a large majority for McKinley. * * *

"As I write, pandemonium is all about—horns, trumpet, and bon-fires outside, and the crowd of members within cheering lustily at the returns. I hardly think however that anything decisive will come till very late in the night. * * * J. H. C."

"The Arlington, Washington, D. C.
8 Nov. 1896.

"My Very Dearest Mabel.

" * * * Since I arrived here I have been hard at work all the time getting ready for the Bell Telephone argument by boiling down all that I have been brooding over for two months into an argument not to exceed two hours, which is always a difficult thing. * * *

"People here are already beginning to look for the departure of Cleveland and the coming of McKinley, which is expected to bring a decidedly Western flavor into Washington life, but I feel very sure that Mr. & Mrs. Cleveland are joyfully counting off the 120 days which will bring freedom to them. * * *

Papa."

To His Wife

"New York, 16 November 1896.

" * * * All Boston is now divided into two hostile camps—the Bacchantes and the Anti Bacchantes. Yesterday there was a private view of the creature* in the Courtyard of the Library. The Trustees had accepted it from McKim, when the Art Commission intervened, and forbade its being exhibited, but relented so far as to allow it to be set up for one day—Sunday—on condition that after that it should be instantly removed. Jo and I went with the rest of the Elite to see it, but could find no harm in it. It is a very lively creation, shrouded quite enough by a dozen jets of spray playing over it. The fuss they are making about it seems supremely silly, but the wise men of Boston are about equally divided.

J. H. C."

* MacMonnies's statue, now in the Metropolitan Museum in New York.

To the Same

"New York, Nov. 20, 1896.

" * * * Today in a horse car a young clergyman approached me most deferentially and addressed me as Bishop Potter, and seemed much disappointed when I had to answer 'Nolo episcopari.' He thought the resemblance was marvellous. * * *

"I am bothered just now with getting up an address for the ovation to Dr. Storrs at the Academy of Music on Tuesday evening. As he has been the victim of constant fêtes and glorifications for the last ten years it is not very easy to put a fresh face on it, but he is such a dear that I am glad to do it as a labor of love. * * *

J. H. C."

"The Arlington, Washington, D. C.
3 Decr. 1896.

"My Dearest Mabel.

"I have just come out of an entire day's session of the Court which ended my great case (Bell Telephone), and of course take great delight in writing to you as a rest and contrast. I have now got rid of the whole load which I have been carrying all the fall, and shall have easy times. I have a case for Monday here of very easy character about the New York Indians, for which I shall have to come down I suppose on Sunday afternoon.

"Last night I dined with Emily* and her mother, who were both I think pretty tired from moving down, and yet they were both very bright and cordial. Emily is bent upon my packing you and Mama both off to the Sunny South—Jekyl Island—or some such place, where

* Miss Tuckerman.

you can be out of doors all the time and out of the way of all bores and trouble. What do you say to that? Of course I should go with you and visit you from time to time. They were both much excited about the Senatorship as though it might possibly materialize, but I told Emily that I should probably go into the Senate about the same time that she does, and we can have a good time together there. * * *"

To His Wife

"Washington, D. C. 6 Dec. 1896.

"Thanks to a couple of quiet days I have easily got ready for the New York Indians tomorrow, and shall take great satisfaction in presenting their case to the Supreme Court. The Government took away their lands more than thirty seven years ago since which they have been applicants to Congress for compensation, and after being kicked to and fro there for more than three decades their case was sent to the Court of Claims. They following the example of Congress again kicked them out, and now we are in the Supreme Court—the last ditch—and expect to win. * * *

J. H. C."

One of Mr. Choate's supplementary exercises in the last weeks of 1896 and the first two weeks of 1897 was to run for United States Senator from New York. The Legislature at Albany was Republican and would elect a Senator to succeed David B. Hill. The question came to be whether it would choose Thomas Platt or some one else, and the Republicans who wanted some one else selected Mr. Choate to be that man. The Union League Club came out strong for him and appointed a committee, including its most influential members, to try to get him

elected. There was a big meeting in support of him at Carnegie Hall on December 23, 1896. There was a very active movement in support of him in Brooklyn, and an imposing committee there to support his candidacy. For two or three weeks the campaign was the leading topic in the papers. The claim for Mr. Choate was that he was infinitely more fit to be Senator than Mr. Platt. The claim for Mr. Platt was that he understood the business of politics better than Mr. Choate did. A quotation from *Puck*, of January, 1897, doubtless written by Bunner, puts the case fairly well as the Choate men saw it. It says:

"Do the people of the state of New York ever reflect, we wonder, that their general intelligence and moral status may reasonably be inferred from the kind of men they send to speak for them in the United States Senate? At present their state is reputed throughout the country to be one wholly given over to the most corrupt form of boss rule—a state where the best citizenship is of a low order and where the opportunities for official stealings are the most magnificent known. And if they feel resentful of this view and inclined to wonder at it, they have only to consider the two men who now represent them in the Senate, and the character of the man who seems to have the better chance of succeeding one of them. For Senator Murphy they can offer no excuse. As a ward-heeler he attained the highest efficiency possible to him. As a Senator he is an illiterate nonentity, incapable of anything save to show what boss rule may do for a state. Of Senator Hill—Charity invoking her favorite *De mortuis nil nisi bonum*—we feel constrained to say nothing. But, unfit as he was for the position

of Senator, he was not so preposterous as Thomas C. Platt would be. Mr. Hill often displayed a commendable interest in the questions of the day.

"Mr. Platt is unique and remarkable for having never, by spoken or written word, declared the shadow of an opinion concerning any of the vital issues of the time. He has singly and unswervingly devoted himself to the manipulation of Legislatures by corrupt means, and to the doling out of spoils. As far back as 1878 we find him attacking President Hayes for treachery to the New York State machine, and never since then has he opened his head except upon the one subject of patronage. Sent to the Senate, himself, in 1881, he promptly resigned, not from any high conviction that he could not acceptably serve the people of this state as a Senator, but because he was denied the spoils of office for which he had worked."

What there was to be said for Mr. Platt was best said in *The Sun*. To the question put by the Utica *Press*, "Let any reader answer, honor bright, which is the abler man, Mr. Choate or Mr. Platt," it replied:

"To this public history has made the answer easy. Regarding uprightness Mr. Choate's word is equally good with Mr. Platt's, and they pay their debts with equal promptitude; at least we have never heard to the contrary.

"Regarding ability, while both Mr. Choate and Mr. Platt possess a very high order of it, comparison has to be forced, their qualities being so dissimilar. Mr. Choate has been trained in the law, which is his livelihood, to a high point of perfection; Mr. Platt has been trained in politics, which is not his livelihood, to a high

point of perfection. Each is a topsawyer in his respective walk, although Mr. Platt's regular vocation has probably made him the more expert in the ways of business. Mr. Choate's intellectual machinery, which has enjoyed far greater opportunities for display, may be more complicated, more voluminous, and more brilliant in its manifestations than Mr. Platt's; but as to the more commanding and more vital quality of judgment, we must think that Mr. Platt's is generally sounder and more valuable to his friends in council than Mr. Choate's.

"When it comes to moral stamina, the persistence and energy with which one maintains and advances his purposes, Mr. Choate has shown himself to be truly a hero on the ground where he has been tried, while on the larger and far more perplexing and difficult field of public affairs where Mr. Platt has been tried, the latter has shown himself to be an indomitable, unyielding, and veritable tiger. In the matter of experience, Mr. Platt is very highly trained, as Mr. Choate is not at all, to perceive public sentiment, to deal with it, and to respect it in his dealings. He enjoys an overwhelming advantage over Mr. Choate in political skill and practice, and his eminent and invaluable achievements in politics, in State and nation, are facts with which Mr. Choate's record provides next to nothing for comparison.

"Putting together the equipments of these two eminent New Yorkers, unemotional and impartial opinion will conclude that Mr. Platt is an abler and fitter man for Senator, particularly for a Republican Senator, than Mr. Choate."

Mr. Platt controlled the Legislature, and it voted just as he said. What happened in Albany is succinctly disclosed in a paragraph in *The Tribune:*

"Albany, N. Y. Jan. 14. Thomas C. Platt has named himself for United States Senator. In 1881 it might have been said with truth that a majority of the Republican members of the Legislature selected him as their candidate for Senator, but in 1897 the process was reversed. Mr. Platt instructed the Republican Senators and Assemblymen to select him, and they obeyed his orders. There never has been in Albany a Legislature more completely under the domination of a political machine. * * *

"Of the 149 votes cast, Mr. Platt received 142—110 Assemblymen and 32 Senators."

Mr. Choate said that he only expected to get one vote and that it gratified him very much that he got seven. Judging from the records in his scrap-books he went on as though nothing had happened, and of course nothing very much had happened so far as he was concerned.

One of his greater cases in the first half of the year was the defense of the American Tobacco Company against the disposition of the federal law officers to dissolve it as a trust. About this trial and Mr. Choate's appearance in it, the *Mail and Express* of June 26 said:

"Circumstances combine to give importance to the trial of what the public has been wont to call the Tobacco Trust, which has been going on now for three weeks in the Court of General Sessions. For the first time in the history of the commonwealth the State has essayed to press home on a legitimate corporation a criminal charge based on business methods that, whether legitimate or not, are not at all unknown to trade. And it has brought to book the officers of one of the most powerful corpora-

tions in the country. The American Tobacco Company stands behind the defendants with a capitalization of $35,000,000 and the prestige of what is almost a monopoly of the cigarette output of the United States. Its yearly production of cigarettes is about four billions, and nine out of every ten men who affect this attenuated culture of the weed are in some sense interested in its fate, for nine out of ten men smoke only their brands.

"It is charged that the defendants were not content with the natural results of the economies incident to the combination of independent companies, but that they conspired to rid the field of a rival by compelling the jobber to handle only their products, and, when he admitted to his counters other goods, withdrew their consignments from him. They restricted trade, in the language of the indictment. To repel this charge the American Tobacco Company has retained the ablest members of the New York bar. To prove it beyond cavil the District Attorney himself has conducted the case, and has given it a degree of personal attention that indicates the quality of his determination and expectation.

"And that is where the personal interest of the trial comes in, for it brings face to face, in a criminal litigation, the young District Attorney, still new to this branch of the law, and Joseph H. Choate, who is feared of all men, and whose argument against the income tax before the highest tribunal established his supremacy among American advocates. It is more like a baptism of fire than a graduated and orderly introduction to the criminal bar. Without much preliminary skirmishing even with field pieces, Mr. Olcott has had to march right up against the heaviest siege guns.

"The thundering of those pieces has sounded pretty constantly for the last fortnight. Mr. Choate may be likened to a dynamite gun of great range and kicking power. * * *

"There are few more striking faces than Mr. Choate's. Youthful in its expression, but marked with lines of power, the thick curly hair that surmounts it and the quizzical brown eyes that light it, half belie the strongly chiseled chin, the firmly set mouth, the bold and resolute nose. The head is round and massive, and it is finely, if jauntily, posed on an erect and active figure of more than the middle height. When Mr. Choate lowers his chin and compresses his lips and glooms under knitted brows with those deep brown eyes, he presents as disconcerting an apparition as ever confronted a witness.

"Not until Monday morning will the senior counsel for the defense find his full opportunity. His summing up, it goes without saying, will attract a crowd to Part IV of the General Sessions. He has not a large voice, but there is not a clearer voice in the American forum, and none that is used with more skill. A singing teacher would classify it probably as a robust tenor. When the speaker exerts himself his whole body becomes merely a resonant organ, and his words ring above the words of others as music will above mere voices. There is a whole range of inflections and suggestion in that voice that is terra incognita to other speakers. New meanings and qualifications are expressed by its lightest shadings. That is Joseph H. Choate, attorney to the Committee of Seventy, that prosecuted the Tweed ring twenty-five years ago.

"Twenty-five years is a quarter of a century, but Mr. Choate looks as if he had just grown up."

In June Mrs. Choate had gone to Stockbridge, and there are letters again:

To His Wife

"New York, 16 June 1897.

"*My best day*—my dearest one, and the one for which I shall always be more grateful than for all others—and today it is *sixty* times as good as it ever was before. And what a shame that we can never seem to be able to spend it together! Isn't it most time for us to defy all the rest of mankind and just devote ourselves to ourselves and each other. * * *

"These low papers—*The World* and *The Journal*—are caricaturing me in the vilest way as the Champion of the Tobacco Trust. You could hardly imagine how ugly they make me, and since I proposed to have the proprietor, manager and reporter of *The Journal* indicted for tampering with our jury, its abuse is most villainous of course. * * *

J. H. C."

To the Same

"New York, 16 June 1897.
Union League Club.

" * * * Mr. Root and I have been fighting hard all day in Court and dining together at the Club tonight. He desires to be remembered to both you and Mabel. * * *

J. H. C."

To the Same

"New York, 19 June 1897.

" * * * Last night for almost the first time since our return I had a quiet evening to myself and read the first

volume of Sally Gibbons' life of her mother. I think she has done it amazingly well. At any rate I found the book intensely interesting because it brings most vividly to mind some of my early experiences in New York which I had well nigh forgotten. * * *

J. H. C."

To His Son

"50 West 47th Street,
Sunday evening, June 20, '97.

"DEAR JO:—

"While your examinations were going on, I suppose your Class Day* and Commencement parts stared you in the face and annoyed you very much—but now that those are over, you will have plain sailing. Of course for a few days before such performances those who are to take part in them are more or less apprehensive. I remember that even Mr. Lowell was in a terrible funk the day before he had to read his great oration in Sanders Theatre on the 250th year celebration, and told his daughter that it was good for nothing and he couldn't possibly go through with it. And in spite of my long experience I am always more or less troubled in spirit for a day or two before an 'occasional' speech, but it always comes out all right.

"If your poem were ten times as good as it is of course you wouldn't be satisfied with it. Nobody ever is, and so you have only to go ahead and make the best of it.

"You must have got pretty tired by this time, and so I should take all the rest and sleep I could between now and Thursday and not try to lie awake nights about it, and pray be careful about eating and drinking, especially if there are any farewell suppers in the meantime.

* He was class poet.

"Henry Ward Beecher used to say that nine hours sleep the night before was his best preparation for a speech.

"You see I am thinking of you all the time, and do not doubt of your acquitting yourself well.

PAPA."

One of the incidents of the summer was the visit of President McKinley and a party to Stockbridge, where they were welcomed and entertained, and stopped to see, among other people, Mr. and Mrs. Choate. The newspaper account of their call gives this description of Mr. Choate's house:

"The Choate house is of light-colored brick and rises three stories above the lawn. It is on the top of a steep slope of the hills that rise above Stockbridge village. The party drove in, and all got down from the carriages and went indoors, where a party of some thirty friends had been bidden to meet the guests. The interior of the house is charming. There is a great hall running through from the front door to the veranda beyond, and the windows afford a charming outlook. On the right of the hall and near the door, stairs rise entirely out of sight from the hall. On the further side is the dining-room, finished in mahogany, and the hall in old English oak, and both handsomely furnished. The fireplace and mantel in the hall are of dark brown stone. The parlor opens on the left, and is finished and furnished in light colors. Beyond it, and yet opening from the hall, is the library, a large room with a bay window and finished in dark wood. It was in this room that the President signed for himself and his wife in the 'Guest Book.' "

There was an election again in the fall. There had been a great Republican triumph the previous year in the election of McKinley. It was followed in 1897 by a spectacular Tammany success in New York in the election of Robert Van Wyck as mayor. It is of that Mr. Choate speaks when he writes to his wife on November 4:

" * * * Of course we have not yet been able to think of anything but the election and its frightful results. It seems to have brought us into great contempt with foreign nations as well as with the rest of the country. Everybody here seems to be very mad with everybody else, but the chief vengeance from all quarters is visited on Platt. As long as such a man commands success he has many followers, but such an absolute and total failure as this must go far to destroy him. Poor Mr. Southmayd couldn't make up his mind how to vote, and so didn't vote at all. He couldn't take the responsibility of voting for Seth Low and wouldn't vote for any of the others.

"The idea of Van Wyck and Tammany apparently is to keep everything '*open*' so that we may expect all forms of vice to be freely cultivated and exhibited without restraint. A specimen of it was given on Election night, when the worst characters in town of both sexes paraded the streets and parks in the most shameless way, singing 'To Hell with reform!'—the refrain of the new District Attorney who by the way ran ahead of his ticket—no doubt for that very thing. * * * "

On February 4, 1898, he was the guest of honor of the Bar Association of Chicago at a great dinner given at the Palmer House in that city, and replied to the toast,

"Our Profession," in a discourse well worth quoting here in full, which is included in the volume of his "American Addresses."

Another notable address to lawyers made in that same year was his speech on August 18, in Saratoga to the American Bar Association, on Trial by Jury. That address also will be found in the volume of his "American Addresses."

Still another address of special interest to lawyers he made this year on October 15 at the unveiling of French's statue of Rufus Choate in the court-house at Boston. He put it first in the book of his "American Addresses," and it is likely to rank as the best of them all. He loved Rufus Choate as a relative who had been kind to him in his youth and, as he said, smoothed his first steps and paved his way to fortune; and as a lawyer, a citizen and a man he greatly admired him. His own character will be better understood if one has read what he found to say about his illustrious cousin who contributed so much to inspire and shape it.

"I deem it a very great honor," he said, "to have been invited by the Suffolk Bar Association to take part on this occasion in honor of him who still stands as one of the most brilliant ornaments of the American Bar in its annals of two centuries. Bearing his name and lineage, and owing to him, as I do, more than to any other man or men—to his example and inspiration, to his sympathy and helping hand—whatever success has attended my own professional efforts, I could not refuse the invitation to come here to-day to the dedication of his statue, which shall stand for centuries to come, and convey to the generations who knew him not some idea of the figure and the features of Rufus Choate. Neither bronze nor marble

can do him justice. Not Rembrandt himself could reproduce the man as we knew and loved him—for until he lay upon his death-bed he was all action, the 'noble, divine, godlike action' of the orator—and the still life of art could never really represent him as he was.

"I am authorized, at the outset, to express for the surviving children of Mr. Choate their deep sense of gratitude to the generous donor of this statue of their honored father, and their complete appreciation of the sentiment which has inspired the city and the court to accept it as a public treasure, and to give it a permanent home at the very gates of the Temple of Justice, at whose shrine he worshipped. They desire also to express publicly on this occasion their admiration of the statue itself, as a work of art, and a faithful portrait, in form and feature, of the living man as he abides in their loving memory. The City of Boston is certainly indebted to Mr. French for his signal skill in thus adding a central figure to that group of great orators whom its elder citizens once heard with delight—Webster, Choate, Everett, Mann, Sumner and Garrison. In life, they divided the sentiments and applause of her people. In death, they share the honors of her Pantheon.

"It is forty years since he strode these ancient streets with majestic step—forty years since the marvellous music of his voice was heard by the living ear—and those of us who, as students and youthful disciples, followed his footsteps, and listened to his eloquence, and almost worshipped his presence, whose ideal and idol he was, are already many years older than he lived to be; but there must be a few still living, and present here to-day, who were in the admiring crowds that hung with rapture on his lips—in the courts of justice, in the densely packed

assembly, in the Senate, in the Constitutional Convention, or in Faneuil Hall consecrated to Freedom—and who can still recall, among life's most cherished memories, the tones of that matchless voice, that pallid face illuminated with rare intelligence, the flashing glance of his dark eye, and the light of his bewitching smile. But, in a decade or two more, these lingering witnesses of his glory and his triumphs will have passed on, and to the next generation he will be but a name and a statue, enshrined in fame's temple with Cicero and Burke, with Otis and Hamilton and Webster, with Pinkney and Wirt, whose words and thoughts he loved to study and to master.

"Many a noted orator, many a great lawyer, has been lost in oblivion in forty years after the grave closed over him, but I venture to believe that the Bar of Suffolk, aye, the whole Bar of America, and the people of Massachusetts, have kept the memory of no other man alive and green so long, so vividly and so lovingly, as that of Rufus Choate. Many of his characteristic utterances have become proverbial, and the flashes of his wit, the play of his fancy and the gorgeous pictures of his imagination are the constant themes of reminiscence, wherever American lawyers assemble for social converse. What Mr. Dana so well said over his bier is still true to-day: 'When as lawyers we meet together in tedious hours and seek to entertain ourselves, we find we do better with anecdotes of Mr. Choate, than on our own original resources.' The admirable biography of Professor Brown, and his arguments, so far as they have been preserved, are text books in the profession—and so the influence of his genius, character and conduct is still potent and far reaching in the land.

"You will not expect me, upon such an occasion, to enter upon any narrative of his illustrious career, so familiar to you all, or to undertake any analysis of those remarkable powers which made it possible. All that has been done already by many appreciative admirers, and has become a part of American literature. I can only attempt, in a most imperfect manner, to present a few of the leading traits of that marvellous personality, which we hope that this striking statue will help to transmit to the students, lawyers and citizens who, in the coming years, shall throng these portals.

"How it was that such an exotic nature, so ardent and tropical in all its manifestations, so truly southern and Italian in its impulses, and at the same time so robust and sturdy in its strength, could have been produced upon the bleak and barren soil of our northern cape, and nurtured under the chilling blasts of its east winds, is a mystery insoluble. Truly, 'this is the Lord's doing, and it is marvellous in our eyes.' In one of his speeches in the Senate, he draws the distinction between 'the cool and slow New England men, and the mercurial children of the sun, who sat down side by side in the presence of Washington, to form our more perfect union.' If ever there was a mercurial child of the sun, it was himself most happily described. I am one of those who believe that the stuff that a man is made of has more to do with his career than any education or environment. The greatness that is achieved, or is thrust upon some men, dwindles before that of him who is born great. His horoscope was propitious. The stars in their courses fought for him. The birthmark of genius, distinct and ineffaceable, was on his brow. He came of a long line of pious and devout ancestors, whose living was as plain

as their thinking was high. It was from father and mother that he derived the flame of intellect, the glow of spirit and the beauty of temperament that were so unique.

"And his nurture to manhood was worthy of the child. It was 'the nurture and admonition of the Lord.' From that rough pine cradle, which is still preserved in the room where he was born, to his premature grave at the age of fifty-nine, it was one long course of training and discipline of mind and character, without pause or rest. It began with that well-thumbed and dog's-eared Bible from Hog Island, its leaves actually worn away by the pious hands that had turned them, read daily in the family from January to December, in at Genesis and out at Revelations every two years; and when a new child was born in the household, the only celebration, the only festivity, was to turn back to the first chapter, and read once more how 'in the beginning God created the heaven and the earth,' and all that in them is. This Book, so early absorbed and never forgotten, saturated his mind and spirit more than any other, more than all other books combined. It was at his tongue's end, at his fingers' ends—always close at hand until those last languid hours at Halifax, when it solaced his dying meditations. You can hardly find speech, argument or lecture of his, from first to last, that is not sprinkled and studded with biblical ideas and pictures, and biblical words and phrases. To him the book of Job was a sublime poem. He knew the Psalms by heart, and dearly loved the prophets, and above all Isaiah, upon whose gorgeous imagery he made copious drafts. He pondered every word, read with most subtle keenness, and applied with happiest effect. One day coming into the Crawford House, cold and shivering—and you remember how

he could shiver—he caught sight of the blaze in the great fireplace, and was instantly warm before the rays could reach him, exclaiming, 'Do you remember that verse in Isaiah, 'Aha! I am warm. I have *seen* the fire'? and so his daily conversation was marked.

"And upon this solid rock of the Scriptures he built a magnificent structure of knowledge and acquirement, to which few men in America have ever attained. History, philosophy, poetry, fiction, all came as grist to his mental mill. But with him, time was too precious to read any trash; he could winnow the wheat from the chaff at sight, almost by touch. He sought knowledge, ideas, for their own sake, and for the language in which they were conveyed. I have heard a most learned jurist gloat over the purchase of the last sensational novel, and have seen a most distinguished bishop greedily devouring the stories of Gaboriau one after another, but Mr. Choate seemed to need no such counter-irritant or blister, to draw the pain from his hurt mind. Business, company, family, sickness—nothing could rob him of his one hour each day in the company of illustrious writers of all ages. How his whole course of thought was tinged and embellished with the reflected light of the great Greek orators, historians and poets; how Roman history, fresh in his mind as the events of yesterday, supplied him with illustrations and supports for his own glowing thoughts and arguments, all of you who have either heard him or read him know.

"But it was to the great domain of English literature that he daily turned for fireside companions, and really kindred spirits. As he said in a letter to Sumner, with whom his literary fraternity was at one time very close: 'Mind that Burke is the fourth Englishman—Shake-

speare, Bacon, Milton, Burke': and then in one of those dashing outbursts of playful extravagance, which were so characteristic of him, fearing that Sumner, in his proposed review, might fail to do full justice to the great ideal of both, he adds: 'Out of Burke might be cut 50 Mackintoshes, 175 Macaulays, 40 Jeffreys and 250 Sir Robert Peels, and leave him greater than Pitt and Fox together.' In the constant company of these great thinkers and writers he revelled, and made their thoughts his own; and his insatiable memory seemed to store up all things committed to it, as the books not in daily use are stacked away in your public library, so that at any moment, with notice or without, he could lay his hand straightway upon them. What was once imbedded in the gray matter of his brain did not lie buried there, as with most of us, but grew and flourished and bore fruit. What he once read he seemed never to forget.

"This love of study became a ruling passion in his earliest youth. To it he sacrificed all that the youth of our day—even the best of them—consider indispensable, and especially the culture and training of the body; and when we recall his pale face, worn and lined as it was in his later years, one of his most pathetic utterances is found in a letter to his son at school: 'I hope that you are well and studious, and among the best scholars. If this is so, I am willing you should play every day till the blood is ready to burst from your cheeks. Love the studies that will make you wise, useful and happy when there shall be no blood at all to be seen in your cheeks or lips.' He never rested from his delightful labors—and that is the pity of it—he took no vacations. Except for one short trip to Europe, when warned of a possible breakdown in 1850, an occasional day at Essex, a three

days' journey to the White Mountains was all that he allowed himself. Returning from such an outing in the summer of 1854, on which it was my great privilege to accompany him, he said: 'That is my entire holiday for this year.' So that when he told Judge Warren so playfully that 'The lawyer's vacation is the space between the question put to witness and his answer,' it was of himself almost literally true. Would that he had realized his constant dream of an ideal cottage in the old walnut grove in Essex, where he might spend whole summers with his books, his children and his thoughts.

"His splendid and blazing intellect, fed and enriched by constant study of the best thoughts of the great minds of the race, his all-persuasive eloquence, his teeming and radiant imagination, whirling his hearers along with it, and sometimes overpowering himself, his brilliant and sportive fancy, lighting up the most arid subjects with the glow of sunrise, his prodigious and never-failing memory, and his playful wit, always bursting forth with irresistible impulse, have been the subject of scores of essays and criticisms, all struggling with the vain effort to describe and crystallize the fascinating and magical charm of his speech and his influence.

"But the occasion and the place remind me that here to-day we have chiefly to do with him as the lawyer and the advocate, and all that I shall presume very briefly to suggest is, what this statue will mean to the coming generations of lawyers and citizens.

"And first, and far above his splendid talents and his triumphant eloquence, I would place the character of the man—pure, honest, delivered absolutely from all the temptations of sordid and mercenary things, aspiring

daily to what was higher and better, loathing all that was vulgar and of low repute, simple as a child, and tender and sympathetic as a woman. Emerson most truly says that character is far above intellect, and this man's character surpassed even his exalted intellect, and, controlling all his great endowments, made the consummate beauty of his life. I know of no greater tribute ever paid to a successful lawyer, than that which he received from Chief Justice Shaw—himself an august and serene personality, absolutely familiar with his daily walk and conversation—in his account of the effort that was made to induce Mr. Choate to give up his active and exhausting practice, and to take the place of professor in the Harvard Law School, made vacant by the death of Mr. Justice Story—an effort of which the Chief Justice, as a member of the corporation of Harvard, was the principal promoter. After referring to him, then, in 1847, as 'the leader of the Bar in every department of forensic eloquence,' and dwelling upon the great advantages which would accrue to the school from the profound legal learning which he possessed, he said: 'In the case of Mr. Choate, it was considered quite indispensable that he should reside in Cambridge, on account of the influence which his genial manners, his habitual presence, and the *force of his character*, would be likely to exert over the young men, drawn from every part of the United States to listen to his instructions.'

"What richer tribute could there be to personal and professional worth, than such words from such lips? He was the fit man to mould the characters of the youth, not of the city or the State only, but of the whole nation. So let the statue stand as notice to all who seek to enter here, that the first requisite of all true renown in our

noble profession—renown not for a day or a life only, but for generations—is Character.

"And next I would point to it as a monument to self-discipline; and here he was indeed without a rival. You may search the biographies of all the great lawyers of the world, and you will find none that surpassed, I think none that approached him, in this rare quality and power. The advocate who would control others must first, last and always control himself. 'Every educated man,' he once said, 'should remember that "great parts are a great trust,"' and, conscious of his talents and powers, he surely never forgot that. You may be certain that after his distinguished college career at Dartmouth—first always where there was none second—after all that the law school, and a year spent under the tuition of William Wirt, then at the zenith of his fame, could lend to his equipment, and after the five years of patient study in his office at Danvers, where he was the only lawyer, he brought to the subsequent actual practice of his profession an outfit of learning, of skill and research, which most of us would have thought sufficient for a lifetime; but with him it was only the beginning. His power of labor was inexhaustible, and down to the last hour of his professional life he never relaxed the most acute and searching study, not of the case in hand only, but of the whole body of the law, and of everything in history, poetry, philosophy and literature that could lend anything of strength or lustre to the performance of his professional duties. His hand, his head, his heart, his imagination were never out of training.

"Think of a man already walking the giddy heights of assured success, already a Senator of the United States from Massachusetts, or even years afterwards, when the

end of his professional labors was already in sight, schooling himself to daily tasks in law, in rhetoric, in oratory, seeking always for the actual truth, and for the 'best language' in which to embody it—the 'precisely one right word' by which to utter it—think of such a man, with all his ardent taste for the beautiful in every domain of human life, going through the grinding work of taking each successive volume of the Massachusetts Reports, as they came out, down to the last year of his practice, and making a brief in every case in which he had not been himself engaged, with new researches to see how he might have presented it, and thus to keep up with the procession of the law. Verily, 'all things are full of labor; man cannot utter it: the eye is not satisfied with seeing, nor the ear filled with hearing.'

"So let no man seek to follow in his footsteps, unless he is ready to demonstrate, in his own person, that infinite work is the only touchstone of the highest standing in the law, and that the sluggard and the slothful who enter here must leave all hope behind.

"Again we hail this statue, which shall stand here as long as bronze shall endure, as the fit representative of one who was the perfect embodiment of absolute loyalty to his profession, in the highest and largest and noblest sense; and, if I might presume to speak for the whole American Bar, I would say that in its universal judgment he stands in this regard pre-eminent, yes, foremost still. Truly, he did that pious homage to the Law which Hooker exacted for her from all things in Heaven and Earth, and was governed by that ever-present sense of debt and duty to the profession of which Lord Bacon spoke. He entered her Courts as a High Priest, arrayed and equipped for the most sacred offices of the Temple.

He belonged to the heroic age of the Bar, and, after the retirement of Webster, he was chief among its heroes. He was the centre of a group of lawyers and advocates, the ablest and the strongest we have known, by whose aid the chief tribunal of this ancient commonwealth administered justice so as to give law to the whole country. Such tributes as Loring and Curtis and Dana lavished upon his grave can never wither. Each one of them had been his constant antagonist in the great arena, and each could say with authority:

—'*experto credite quantus*
In clypeum assurgat, quo turbine torqueat hastam.'

"One after the other, they portrayed in words not to be forgotten his fidelity to the Court, to the client and to the law, his profound learning, his invincible logic, his rare scholarship and his persuasive eloquence, his uniform deference to the Court and to his adversaries—and more and better than all these—what those specially interested in his memory cherish as a priceless treasure—his marvellous sweetness of temper, which neither triumph nor defeat nor disease could ruffle, his great and tender and sympathetic heart, which made them, and the whole bench and bar, love him in life, and love him still.

"He magnified his calling with all the might of his indomitable powers. Following the law as a profession, or, as Judge Sprague so justly said, 'as a science, and also as an art,' he aimed always at perfection for its own sake, and no thought of money, or of any mercenary consideration, ever touched his generous and aspiring spirit, or chilled or stimulated his ardor. He espoused the cause of the poorest client, about the most meagre subject of controversy, with the same fidelity and enthu-

siasm as when millions were at stake, and sovereign States the combatants. No love of money ever planted the least root of evil in his soul; and this should not fail to be said in remembrance of him, in days when money rules the world.

"His theory of advocacy was the only possible theory consistent with the sound and wholesome administration of justice—that, with all loyalty to truth and honor, he must devote his best talents and attainments, all that he was, and all that he could, to the support and enforcement of the cause committed to his trust. It is right here to repeat the words of Mr. Justice Curtis, speaking for himself and for the whole Bar, that 'Great injustice would be done to this great and eloquent advocate, by attributing to him any want of loyalty to truth, or any deference to wrong, because he employed all his great powers and attainments, and used to the utmost his consummate skill and eloquence, in exhibiting and enforcing the comparative merits of one side of the cases in which he acted. In doing so he but did his duty. If other people did theirs, the administration of justice was secure.'

"His name will ever be identified with trial by jury, the department of the profession in which he was absolutely supreme. He cherished with tenacious affection and interest its origin, its history and its great fundamental maxims—that the citizen charged with crime shall be presumed innocent until his guilt shall be established beyond all reasonable doubt; that no man shall be deprived by the law of property or reputation until his right to retain is disproved by a clear preponderance of evidence to the satisfaction of all the twelve; that every suitor shall be confronted with the proofs by which

he shall stand or fall; that only after a fair hearing, with full right of cross-examination, and the observance of the vital rules of evidence, shall he forfeit life, liberty or property, and then only by the judgment of his peers.

"Regarding these cardinal principles of Anglo-Saxon justice and policy as essential to the maintenance of liberty and of civil society, he stood as their champion

"'with spear in rest and heart on flame,'

sheathed in the panoply of genius.

"To-day, when we have seen a great sister republic on the verge of collapse for the violation of these first canons of Freedom,* we may justly honor such a champion.

"But he displayed his undying loyalty to the profession on a still higher and grander scale, when he viewed and presented it as one of the great and indispensable departments of Government, as an instrumentality for the well-being and conservation of the State. '*Pro clientibus saepe; pro lege, pro republica semper.*'

"I regard the magnificent argument which he made on the judicial tenure in the Constitutional Convention of 1853 as the greatest single service which he ever rendered to the profession, and to the Commonwealth, of which he was so proud. You will observe, if you read it, that it differs radically in kind, rather than in degree from all his other speeches, arguments and addresses.

"Discarding all ornament, restraining with careful guard all tendency to flights of rhetoric, in clear and pellucid language, plain and unadorned, laying bare the very nerve of his thought, as if he were addressing,

* France in the Dreyfus case.

as no doubt he meant to address and convince, not alone his fellow delegates assembled in the convention, but the fishermen of Essex, the manufacturers of Worcester and Hampden, and the farmers of Berkshire—all the men and women of the Commonwealth, of that day and of all days to come—he pleads for the continuance of an appointed judiciary, and for the judicial tenure during good behavior, as the only safe foundations of justice and liberty.

"He draws the picture of 'a good judge profoundly learned in all the learning of the law'; 'not merely upright and well intentioned'; 'but the man who will not respect persons in judgment'; standing only for justice, 'though the thunder should light upon his brow,' while he holds the balance even, to protect the humblest and most odious individual against all the powers and the people of the Commonwealth; and 'possessing at all times the perfect confidence of the community, that he bear not the sword in vain.' He stands for the existing system which has been devised and handed down by the Founders of the State, and appeals to its uniform success in producing just that kind of a judge; to the experience and example of England since 1688; to the Federal system which had furnished to the people of the Union such illustrious magistrates; and finally to the noble line of great and good judges who had from the beginning presided in your courts. He then takes up and disposes of all objections and arguments drawn from other States, which had adopted an elective judiciary and shortened terms, and conclusively demonstrates that to abide by the existing constitution of your judicial system was the only way to secure to Massachusetts forever 'a government of laws and not of men.'

"It was on one of the red-letter days of my youth that I listened to that matchless argument, and, when it ended, and the last echoes of his voice died away, as he retired from the old Hall of the House of Representatives, leaning heavily upon the arm of Henry Wilson, all crumpled, dishevelled and exhausted, I said to myself that some virtue had gone out of him—indeed some virtue did go out of him with every great effort—but that day it went to dignify and ennoble our profession, and to enrich and sustain the very marrow of the Commonwealth. If ever again the question should be raised within her borders, let that argument be read in every assembly, every church and every school-house. Let all the people hear it. It is as potent and unanswerable to-day, and will be for centuries to come, as it was nearly half a century ago when it fell from his lips. Cling to your ancient system, which has made your Courts models of jurisprudence to all the world until this hour. Cling to it, and freedom shall reign here until the sunlight shall melt this bronze, and justice shall be done in Massachusetts, though the skies fall.

"And now, in conclusion, let me speak of his patriotism. I have always believed that Mr. Webster, more than any other one man, was entitled to the credit of that grand and universal outburst of devotion, with which the whole North sprang to arms in defense of the Constitution and the Union, many years after his death, when the first shot at Fort Sumter, like a fire bell in the night, roused them from their slumber, and convinced them that the great citadel of their liberties was in actual danger. Differ as we may and must as to his final course in declining years, the one great fact can never be blotted out, that the great work of his grand and noble

life was the defense of the Constitution—so that he came to be known of all men as its one Defender—that for thirty years he preached to the listening nation the crusade of nationality, and fired New England and the whole North with its spirit. He inspired them to believe that to uphold and preserve the Union, against every foe, was the first duty of the citizen; that if the Union was saved, all was saved; that if that was lost, all was lost. He moulded better even than he knew. It was his great brain that designed, his flaming heart that forged, his sublime eloquence that welded the sword, which was at last, when he was dust, to consummate his life's work, and make Liberty and Union one and inseparable forever.

"And so, in large measure, it was with Mr. Choate. His glowing heart went out to his country with the passionate ardor of a lover. He believed that the first duty of the lawyer, orator, scholar was to her. His best thoughts, his noblest words were always for her. Seven of the best years of his life, in the Senate and House of Representatives, at the greatest personal sacrifice, he gave absolutely to her service. On every important question that arose, he made, with infinite study and research, one of the great speeches of the debate. He commanded the affectionate regard of his fellows, and of the watchful and listening nation. He was a profound and constant student of her history, and revelled in tracing her growth and progress from Plymouth Rock and Salem Harbor, until she filled the continent from sea to sea. He loved to trace the advance of the Puritan spirit, with which he was himself deeply imbued, from Winthrop and Endicott and Carver and Standish, through all the heroic periods and events of colonial and revolutionary and national life, until, in his own last years, it dominated

and guided all of Free America. He knew full well, and displayed in his many splendid speeches and addresses, that one unerring purpose of freedom and of Union ran through her whole history; that there was no accident in it all; that all the generations, from the *Mayflower* down, marched to one measure and followed one flag; that all the struggles, all the self-sacrifice, all the prayers and the tears, all the fear of God, all the soul-trials, all the yearnings for national life, of more than two centuries, had contributed to make the country that he served and loved. He, too, preached, in season and out of season, the gospel of Nationality. He was the faithful disciple of Webster, while that great Master lived, and, after his death, he bore aloft the same standard and maintained the same cause. Mr. Everett spoke nothing more than the truth, when he said in Faneuil Hall, while all the bells were tolling, at the moment when the vessel bringing home the dead body of his lifelong friend cast anchor in Boston Harbor: 'If ever there was a truly disinterested patriot, Rufus Choate was that man. In his political career there was no shade of selfishness. Had he been willing to purchase advancement at the price often paid for it, there was never a moment, from the time he first made himself felt and known, that he could not have commanded anything that any party had to bestow. But he desired none of the rewards or honors of success.'

"He foresaw clearly that the division of the country into geographical parties must end in civil war. What he could not see was, that there was no other way—that only by cutting out slavery by the sword, could America secure Liberty and Union too—but to the last drop of his blood, and the last fibre of his being, he prayed and

pleaded for the life of the nation, according to his light. Neither of these great patriots lived to see the fearful spectacle which they had so eloquently deprecated. But when at last the dread day came, and our young heroes marched forth to bleed and die for their country—their own sons among the foremost—they carried in their hearts the lessons which both had taught, and all Massachusetts, all New England, from the beginning, marched behind them, 'carrying the flag and keeping step to the music of the Union,' as he had bade them, and so I say, let us award to them both their due share of the glory.

"Thus to-day we consign this noble statue to the keeping of posterity, to remind them of 'the patriot, jurist, orator, scholar, citizen and friend,' whom we are proud to have known and loved."

The first part of 1898, besides going to Chicago to make an address, he seems to have spent mainly in professional labors. He talked at the dinner that the Alpha Delta Phi Society gave to him as their president on April 17, and he was a speaker at the National Conference of Charities and Correction at Carnegie Hall on May 18; but his main occupation is no doubt discovered when he writes to his wife on June 22:

" * * * This case has a cad of matter to be read and I find that I cannot possibly work to advantage in the country, when only home for a day or two. The distractions are altogether too great. * * * "

Again he says five days later:

" * * * I have been comfortable. In fact I have stayed up town for three days filling my head with the

contents of twelve big volumes in preparation for my last case. This completes a year of thorough work which I shall probably not repeat. * * * "

He never did repeat it, as will be seen. He was halfway through his sixty-seventh year. He practised law after his return from England, but never again so strenuously as in this year.

Besides everything else in this busy year, with four hard cases and with three considerable addresses, there was an infusion of politics. He writes his wife on November 2, having got back to town:

" * * * I have got everything else out of the way now, so as to have 24 hours to get ready for my speech at the mass meeting tomorrow night, so as to have *something* to say, but I don't know what. I shall be heartily glad when this campaign is over, and think I may come up Saturday to get out of the way."

The mass-meeting that he speaks of was part of the campaign to make Theodore Roosevelt governor and to re-elect Judge Daly, to whom Croker had denied renomination. Mr. Choate's heart was in both of these efforts, and he spoke repeatedly in October and November. On October 5 he began his speech at Carnegie Hall by saying:

"I could not stay away from this meeting because I have known Colonel Roosevelt and loved Colonel Roosevelt from his cradle, and I know that there is not one drop of blood in his body or one fibre in his being that is not brave, honest and patriotic. He is just the man that in this emergency the State of New York wants

for Governor, and it would be a great disgrace even to the Empire State, if the people should fail to put him in the Governor's chair."

The extreme activity of mind that characterized these multitudinous labors called for bodily support, and this letter to his daughter helps to an understanding of how this was maintained:

"Nov. 7, 1898.

"DEAR MABEL.

" * * * Yesterday after the rain stopped I took an entirely new walk and enjoyed it very much—Up the new Speedway following the bank of the Harlem River (a magnificent drive by the way) with the river on the right, and the bluff of the Washington Heights on the left, with all the fall foliage still on the trees, away up under High Bridge and Washington Bridge, to Dykeman St. which leads across from 206 St. to Kingsbridge Road—there striking the Lafayette Boulevard—getting a very poor lunch at the Abbey—down the Bank of the Hudson to the real Fort Washington, which I had never explored before, then along the bank of the River full of fishermen—with a three-masted schooner at 168th St. discharging lumber for a new school—away to Grant's Tomb, and there instead of climbing up, coasting along the Bank until I reached 104th St. where I took the cars for home—a good ten mile walk and just what I wanted after such a week. * * *

"Tonight everything promises well for the election of Roosevelt. In Wall St. today the bets are 2 to 1, on him. But I shall not be satisfied unless we elect Judge Daly and so give a grand coup to Crokerism, which is sadly needed. * * *

PAPA."

Early in November there began to be echoes in the papers of the possibility that the President would offer him the appointment of Ambassador to England. There was a Senator from New York to be elected, and this Ambassadorship to be filled. Mr. Choate and Mr. Root were talked of for both places. Another possible candidate for the Senatorship was Mr. Whitelaw Reid. It was understood that Mr. Platt, the manager of the Republican dispensary, was not favorable to the translation of Mr. Choate to the Senate. Mr. Platt was probably not favorable to the preferment of Mr. Choate in any direction, but as between having him sent to Washington and having him sent to London, he seems to have preferred that he should go to London. He was credited also with even greater reluctance to agree to the preferment of Mr. Reid than of Mr. Choate. That was the situation. Meanwhile Mr. Choate went right along with his customary activities, both frivolous and professional. He writes his wife on November 21:

"Everybody is preparing for the trip to Springfield on Saturday—that is to say all Harvard is doing so, and if Harvard doesn't win there will be weeping and wailing and gnashing of teeth, with me especially because I resolved last year to keep on going until Harvard should win, and I should not like the prospect of indefinite attendance at Springfield. * * * "

Again he writes to her a week later:

"Washington, D. C. Nov. 28, 1898.
Hotel Gordon.

" * * * Tomorrow morning the Attorney General is to take me to see the President but I don't think he will

say anything about the matter you are so much stirred up about. * * *

"The Supreme Court has violated the traditions of 110 years by taking a half hour's recess for lunch at two o'clock and then sitting a half hour longer until half past four. What are we coming to? It looks as if 'the floodgates' were opening and the 'foundation of things' breaking up. * * *

"I find this house very pleasant and comfortable. No interviewers, button holers or reporters, with their probes ready to jab you."

(November 29.) "You will think I am becoming very diplomatic when I tell you that before breakfast I wrote a note to Secretary Hay asking him to name a time when I could call to pay my respects and he replied 'right away.' So I went in and had a talk with him at a little after nine. Then the Attorney General took me to the White House at half past ten to see the President who was very cordial, but as a lot of Senators, all of whom I knew, were surrounding him and the Cabinet was about to assemble I didn't stop long. He inquired for you and especially for *Jo*, whose height seems to have made a great impression on him. I inquired for Mrs. McKinley and whether she was receiving today, which resulted in a telegram from Secy. Porter to me at Court, saying that she would like to see me at half past four. So as soon as Court adjourned I went again to the White House and saw them both, the poor President having taken his first rest for the day to receive me with her. Then I wound up with five o'clock tea with Mrs. Hay at her husband's request, and all this without a word on either side about anything in particular. So you see there is nothing in all the talk of the

newspapers. For tomorrow evening I have two invitations to dinner—one from Sec'y Hay to meet Prest. Iglesias of Costa Rica, and one from Judge Brown to meet Lord Herschell,* but as I am bound to go to Albany Thursday morning to argue Laidlaw vs. Sage I was obliged to decline them both. * * *

J. H. C."

* Lord Herschell was the leading lawyer for Great Britain and Canada on the Commission that was trying to settle the Alaska Boundary controversy. In Thayer's "Life of John Hay" it says:

"On December 3, 1898, Hay wrote confidentially to Mr. Henry White in London: 'I hear from no less than three members of our Canadian Commission that by far the worst member of the Commission to deal with is Lord Herschell, who is more cantankerous than any of the Canadians, raises more petty points, and is harder than any of the Canadians to get along with. In fact he is the principal obstacle to a favorable arrangement. If you could in any discreet way, in conversation with Balfour or Villiers, or even Lord Salisbury, should occasion offer, intimate this state of things, so that they might speak a word which would moderate his excessive lawyer-like zeal to make a case, it would be a good thing.'

"On January 3, 1899, the Secretary complains again to Mr. White: 'Lord Herschell, with great dexterity and ability, represents his own side as granting everything and getting nothing, and yet I think the letter of Fairbanks [leading commissioner for the United States, and later Vice-President] shows with perfect clearness and candor that we are making great concessions and getting no credit for them.

"'In the case of Alaska, it is hard to treat with patience the claim set up by Lord Herschell that virtually the whole coast belongs to England, leaving us only a few jutting promontories without communication with each other. Without going into the historical or legal argument, as a mere matter of common sense it is impossible that any nation should ever have conceded, or any other nation have accepted, the cession of such a ridiculous and preposterous boundary line. We are absolutely driven to the conclusion that Lord Herschell put forward a claim that he had no belief or confidence in, for the mere purpose of trading it off for something substantial. And yet, the slightest suggestion that his claim is unfounded throws him into a fury.'

"Nevertheless, the Lord Chancellor stuck uncompromisingly to his demands and the Commission adjourned on February 20, 1899."

One of Mr. Choate's important diplomatic duties as ambassador was to cooperate with Mr. Hay, Lord Salisbury, and Lord Lansdowne in bringing the boundary dispute to settlement by a new tribunal, headed for England by Lord Chief Justice Alverstone, with two Canadians, Sir L. A. Jetté and A. B. Aylesworth, and with Senator Lodge, Secretary of War Root, and Ex-Senator George Turner to represent the United States. That tribunal reached a settlement.

A Washington despatch of this same date to *The Sun* says:

"Joseph H. Choate, of New York, whose name has been connected by rumor with the post of Ambassador to the Court of St. James, was among the callers who saw the President before the Cabinet met today. Mr. Choate said he merely called to pay his respects to the President. He is in Washington to argue the Dunlap alcohol case before the Supreme Court tomorrow. He expects to leave immediately after he speaks.

" 'I must be in Albany the next morning,' he said to a reporter for *The Sun*, 'to argue before the Court of Appeals the celebrated case of Laidlaw vs. Sage.'

" 'How many times has that been done?'

" 'I think,' Mr. Choate answered, 'that I have presented the merits of that case to judges and juries six times; Thursday's effort will be the seventh.'

"Mr. Choate was asked regarding the report that he was to be appointed Ambassador to Great Britain.

" 'I know nothing about it,' was his answer.

" 'It is said today that the appointment has been determined on.'

" 'So I see,' he responded, 'but I have heard nothing about it.'

"Mr. Choate's manner left the impression that he would not be greatly surprised if he should hear something about it. He expressed the opinion that Mr. Depew would be chosen Senator from New York."

Two weeks later the Philadelphia *Enquirer* observed:

"The New York correspondents of the London newspapers have been sending paragraphs by cable as to the

outlook for Mr. Choate, of New York, being the next United States Ambassador to England, but they appear to have very vague ideas as to his position.* They unite in saying that he is the leader of the New York bar, which is correct, and that he is a man of no fortune nor any experience, fitting him for the position, save, perhaps, the gift of eloquence.

"Could anything be more pleasingly innocent than this? Do not these gentlemen know that Mr. Choate has the altogether delightful position of being able to pocket lots of retaining fees which represent a year's salary as Ambassador to England, while when it comes to sending in his bill for services rendered, the figures are apt to run to the salary of the President and all his Cabinet combined. Surely Mr. Choate has saved some of his income and not spent it every afternoon on his way up town after leaving his office."

On January 11, 1899, the President sent in his nomination to the Senate. There was a vast amount of comment on it in the newspapers, and it was commended with what amounted to a chorus of approval. *The Irish World* did not like it, but its objection to Mr. Choate as "a New England Englishman who hates Irishmen, their country and their faith," was one of very few that are recorded.

Life spoke of Mr. Choate's appointment as coming "like a large red apple to the boy who has been good." He had been good and he had been exceedingly diligent. For over forty years he had practised as a lawyer in New York and had done it for all there was in it, and he had

*So Mr. Root said nineteen years later that Mr. Choate's brilliant success as ambassador "had made his great reputation known to the public men of Europe, who at that time ordinarily knew little and cared less about American lawyers."

done an immense deal besides. Now that he was coming to the end of this extraordinary period of application to professional work, and was passing on to other things, it is interesting to look into his mind and discover some of the convictions that had come to lodge there. That was done in a way by Mr. Theodore Dreiser, since a novelist of reputation, who got a glimpse of Mr. Choate's mind late in 1897 and printed some of the results in the magazine called *Success* in January, 1898. He went to see Mr. Choate at his house; he said to him:

"'You have had long years of distinction and comfort; do you find that success brings content and happiness?'

"'Well,' he answered, contracting his brows with legal severity, 'constant labor is happiness, and success simply means ability to do more labor,—more deeds far-reaching in their power and effect. Such success brings about as much happiness as the world provides.'

"'I mean,' I explained, 'the fruits of that which is conventionally accepted as success: few hours of toil, a luxuriously furnished home, hosts of friends, the applause of the people, sumptuous repasts, and content in idleness, knowing that enough has been done.'

"'We never know that enough has been done,' said the lawyer. 'All this sounds pleasant, but the truth is that the men whose great efforts have made such things possible for themselves are the very last to desire them. You have described what appeals to the idler, the energyless dreamer, the fashionable dawdler, and the listless voluptuary. Enjoyment of such things would sap the strength and deaden the ambition of a Lincoln. The man who has attained to the position where these things are possible is the one whose life has been a constant refutation of the need of these things. He is the one

who has abstained, who has conserved his mental and physical strength by living a simple and frugal life. He has not taken more than he needed and never, if possible, less. His enjoyment has been in working, and I guarantee that you will find successful men ever to be plain-mannered persons of simple tastes, to whom sumptuous repasts are a bore, and luxury a thing apart. They may live surrounded by these things, but personally take little interest in them, knowing them to be mere trappings, which neither add to nor detract from character.'

"'Is there no pleasure, then, in luxury and ease without toil?' I questioned.

"'None,' said the speaker, emphatically. 'There is pleasure in rest after labor. It is gratifying to relax when you really need relaxation, to be weary and to be able to rest. But to enjoy anything you must feel the need of it. But no more,' he said, putting up his hand conclusively. 'Surely you have enough to make clear what you wish to know.'

"Mr. Choate had talked for ten minutes. His ease of manner, quickness of reply, smoothness of expression, and incisive diction, were fascinating beyond description."*

* In *Case and Comment* (the lawyers' magazine) for September, 1917, is an article—"Joseph H. Choate and Right Training for the Bar," by Mr. William V. Rowe, who was long and closely associated with Mr. Choate in practice. In the course of this article Mr. Rowe reviews the succession of Mr. Choate's chief cases in the forty years of his most active practice, and up to the time he went to England as Ambassador, as follows:

"As soon as Mr. Choate had finished a several months' trial of an action for libel, involving and vindicating the integrity and value of the Cesnola collection of Cypriote antiquities in the Metropolitan Museum of Art, he was at once called into legislative hearings on bills for the benefit of the Museum of Natural History, and was obliged to represent the interests of the West Shore, the North River Construction Company, and the New York Central Railroad, in suits to foreclose the mortgage of the West Shore Railway and to restrain, on complaint of a stockholder, the lease of the West Shore by the Central.

"The New York Central cases would hardly be closed before he might find it necessary to plunge into the hearings in the long controversy between Lord Dunraven and the New York Yacht Club over the famous international yacht race between '*Defender*' and '*Valkyrie III*,' in which the action of the yacht club had been criticised by the English challenger, and these hearings would perhaps be followed by the trial of the extraordinary case of Laidlaw *v.* Russell Sage, arising out of the dynamiting of Russell Sage and his alleged attempt to use the plaintiff as a shield, and presenting novel questions in the law of assault and trespass. Incidentally, it may be noted that this was the only case in which Mr. Choate was ever known to over-cross-examine—a common professional fault. His indignation had been so excited by the circumstances of the case that his cross-examination actually turned inside out the 'vest' and other personal garments of the defendant, the original history and condition of which the cross-examination fully exposed to the public gaze. In the years between 1880 and 1895 he was frequently employed in successful pioneer work in so-called Elevated Railroad cases, which were actions at law, condemnation proceedings, and suits in equity, brought to recover heavy damages arising out of the construction of the New York system of elevated railroads through and over the public streets, and which involved wholly novel questions in the law of easements relating to the rights of abutting owners to light, air, and access—cases in which Mr. Evarts and Mr. Choate were at times both engaged, and in which frequently arose the most difficult conceivable questions of title, including the title to old Dutch streets as affected by the civil law. At the same time, he was occupied for years with the defense of the Standard Oil Companies and the so-called Standard Oil Trust, in the famous 'Anti-trust Law' suits, including the cases attacking the Texas and Ohio Anti-trust Laws, and other cases covering the usual difficult, but at that time quite novel, Anti-trust Law questions, and in cases involving the valuation of oil properties, alleged breaches of warranty, building contracts, and many other matters, with constant legislative and congressional investigations. All this work was varied by great will contests, long drawn out, and great will construction suits, in the surrogates' or probate courts and through the medium of equity and partition suits, involving the Cruger, Vanderbilt, A. T. Stewart, Samuel J. Tilden, Hoyt, Drake, Hopkins-Searles, Vassar, Vanderpoel, and almost innumerable other wills which came before him year by year, presenting extremely important and embarrassing questions in the law relating to testamentary instruments and trusts and their construction, and covering all phases of insanity issues and the law of undue influence and testamentary capacity. This class of litigation included jury trials and the most carefully prepared cases on appeal in the higher courts. Landlord and tenant cases, arising, perhaps, in the form of ejectment suits for one of the Astor estates, would be followed by the important case against the Canada Southern Railway, testing before the Supreme Court of the United States the rights of domestic purchasers and holders of foreign-railway-company bonds, or the Brooklyn Bridge case, before the same court, involving the right to build and maintain the great and necessary structures connecting New York and Brooklyn, or the Stanford University case, from California, also before the Supreme Court, in which the United States sought to recover many millions from the Leland Stanford estate, the success of which suit would have deprived the University of a large part of its endowment, and in which case Mr. Choate's successful appeal for the University resembled Webster's appeal for Dartmouth College; and this, in turn, might be succeeded by the Bell Telephone Case, involving the entire Bell telephone patent. His work before the Supreme Court of the United States in all these years was continuous. The Behring Sea Case before that court, in which he appeared for the Canadian

government, and which involved the right of the United States to seize and condemn Canadian and other vessels in Behring Sea, was matched in importance by the New York Indians Case, which had to do with the Indians' right to lands on their summary removal to limited reservations in other parts of the country; and these cases would no sooner be finished than he would be called into the case of the Pullman Palace Car Company against the Central Transportation Company, involving a great contract of lease, or the Southern Pacific Land Grant Case, the Chinese Exclusion Cases, the Alcohol-in-the-Arts Case, involving rebates of millions of dollars under the tariff laws, or the Massachusetts Fisheries Case (Manchester *v.* Massachusetts), relating to the state's right to protect fisheries in arms of the sea within or beyond the 3-mile limit. He would hardly have finished such a long series of cases before the Supreme Court before he would be called into an admiralty collision suit for the White Star Line, developing novel and abstruse problems in hydraulics and suction-action, in the case of overtaking ships of varying tonnage and draught, or suits presenting equally novel and complicated bill of lading problems arising out of the fire on the Inman Line pier and the destruction of the cargo of the steamship *Egypt* of the old National Line. While these cases were under way, he would, perhaps, be consulting with Mr. Evarts over the trial and argument of cases involving the whole common law of covenants and conditions subsequent as applied to deeds of property abutting on portions of the old Bloomingdale Road, as affected, in turn, by New York's great Riverside Park Improvement, or would be preparing to argue before the Supreme Court of the United States or elsewhere the great constitutional questions in the Income Tax Cases, the Reciprocal and Retaliatory Taxation Cases against insurance companies, the Kansas Prohibition Law Cases, the California Irrigation Law Cases, and the Neagle Case, this last involving the assault by Judge Terry, of California, on Mr. Justice Field, which raised the whole question of the power of the Supreme Court to protect itself and its officers within the jurisdiction of a state; or, after arguing in Washington the constitutionality of the Federal and state inheritance taxes, we might find him called in to his triumphant and spirited vindication of the rights of the bar, as against aggressions of the bench, in the contempt proceedings instituted by Recorder Smythe of New York, against Mr. Goff (afterwards recorder, and now Mr. Justice Goff, of the New York Supreme Court)—a peculiarly satisfactory and successful experience for Mr. Choate, in which he made one of his most forceful, eloquent, and convincing appeals to judicial as well as to human nature. While advising with Mr. Evarts as to the replevin action by the Turkish government, for which they were acting, to recover a consignment of rifles, he might find himself in the midst of the preparation for the trial of the greatest action for deceit (in the form of a suit in equity for an accounting) ever brought in New York—the controversy between the Banque-Franco-Egyptienne, of Paris, and various leading New York bankers over the sale of the old New York, Boston & Montreal bonds—or might be considering with his other partner, Mr. Southmayd, the firm's opinion as to a railroad reorganization plan. One week would find him occupied in the New York court of appeals with the so-called Maynard Election Fraud Cases and the cases involving the inheritance taxes under the Vassar will, with other questions affecting Vassar College, and the next week would see him before the Interstate Commerce Commission, representing the Orange County Farmers of New York, in a long and successful controversy with all the railroads centring in New York and Jersey City over the freight rates on New York city's milk supply. The very next week, in turn, he would himself represent the same railroads, or some

of them, before that Commission or before a congressional or legislative committee, on a question of rates, of regulation, or of taxation. While he was settling the membership law for clubs and exchanges in what was practically the pioneer American litigation on that subject, in the famous cases of Loubat *v.* Union Club and Hutchinson *v.* New York Stock Exchange, he was also settling important features of the law of arbitration in a great building contract case. After a prodigious winter's work in will contests, and various important arguments before the court of appeals in New York and the Supreme Court at Washington, he devoted the entire summer and fall of the year 1894 to the work of the New York Constitutional Convention, of which he was President, and whose proposed constitution, due chiefly to his personal advocacy, was fully and triumphantly adopted by the people of the state, and is still in existence and serviceable. From that work his normal activities would drive him, perhaps, into an intricate partnership accounting with the estate of Paran Stevens, over a complicated hotel business, or into a long trial of a jury case, in which he appeared on behalf of the Western Union Telegraph Company and Jay Gould, involving questions of contract and tort in its relations with the old Bankers & Merchants Company and other telegraph companies—one of the trials in these cases furnishing us with the only instance (due in part to extraordinary heat in the month of June) in which Mr. Choate's voice was ever known to weaken through huskiness. Following these, he was liable at any time to be drawn into the accountings of the executors and trustees under the Astor and various other wills, or to be called upon to advise in relation to the last professional service of Mr. Evarts, rendered to the High Court of Chancery of England in its capacity as guardian of infants. For many years he found himself employed before the court of claims or special commissions, or before the Supreme Court of the United States, in the Berdan Arms Case and other difficult cases, and in the claims arising out of the Alabama Awards, and, later, in the Spanish Treaty Claims, followed by many extraordinary drawback and other revenue cases, some of which went to the Supreme Court. And, to cap the climax, he was occasionally, as we have heretofore pointed out, called into great patent cases; for example, that involving the whole Bell telephone patent. As evidence of his complete mastery of the problems of intensively specialized modern business law, reference may be made to his successful handling, following his return from the English ambassadorship, of the various controversies arising out of the receivership and proposed readjustment and reorganization of the affairs of the Third Avenue Railway Company of New York."

CHAPTER VIII

IN ENGLAND AS AMBASSADOR

FAREWELLS IN NEW YORK—ARRIVAL IN LONDON—NO. I CARLTON HOUSE TERRACE—PRESENTED TO THE QUEEN—FIRST SPEECH AS AMBASSADOR—SOCIAL DUTIES—LITERARY FUND AND ACTORS' FUND DINNERS—SUTHERLAND INSTITUTE—ANGLO-SAXONS—SIR WALTER SCOTT CLUB—TO WINDSOR TO MEET THE KAISER—COOMBE ABBEY—SICKNESS IN THE FAMILY—BOER WAR—VISITORS—LORD RAYLEIGH—WAR NEWS—A BUST OF WASHINGTON—THE LOCKER-LAMPSONS—SAMOAN TREATY—THE AUTHORS' CLUB—LADYSMITH—PRESENTATIONS—HOLIDAY AT CANNES—LL.D. FROM EDINBURGH—HOWICK—THE FRANKLIN PORTRAIT—A VISIT TO THE GUILDHALL—DINNERS—A DRAWING-ROOM—THE FISHMONGERS' DINNER—SIR HENRY IRVING—THE LEYS SCHOOL—FOURTH OF JULY AT THE EMBASSY—A LETTER TO JUDGE CHOATE—LONDON IN AUGUST—BOXER REBELLION—HOLIDAY IN ITALY—THE ADDRESS ON LINCOLN—McKINLEY RE-ELECTED—GEORGE DOWNING—ADDRESS AT EDINBURGH—DALMENY HOUSE—STOVES—DEATH OF QUEEN VICTORIA—A WREATH FROM THE PRESIDENT—A VISIT TO GEORGE MEREDITH—ENTERTAINMENTS AND DISCOURSES—BLYTHSWOOD AND SOME MISCHANCES—MRS. RITCHIE—DEATH OF PRESIDENT McKINLEY—THE PANAMA CANAL—HOME FOR A HOLIDAY—BILTMORE—FIRST DRAWING-ROOM OF THE NEW REIGN—CORONATION TROUBLES—A BIG RECEPTION AT THE EMBASSY—TO GREECE AND ENGLAND—DECLINES A RETAINER—A LECTURE ON THE UNITED STATES SUPREME COURT—HOME FOR HIS SON'S WEDDING—ALASKA BOUNDARY CASE—BIBLE SOCIETY CENTENARY—TO EDINBURGH TO TALK OF HAMILTON—A PLEA FOR MR. LODGE—PREPARATIONS TO RESIGN—A VISIT TO THE KING AND QUEEN—THE JOHN HARVARD WINDOW—A BANQUET BY THE BENCH AND BAR—THE LORD MAYOR'S FAREWELL BANQUET—THE WINDOW AT ST. SAVIOUR'S CHURCH—SAILS FOR HOME

Mr. Choate, his wife, and daughter sailed on the *St. Paul* for Southampton on February 22, 1899. The night before he sailed he went to a great dinner of the Harvard Club at the Waldorf-Astoria, where he was the leading guest of the evening and was cheered and drunk to and

sung to to the full extent of Harvard energies. "Last night," he said, "I talked to a great company of lawyers, whose first feeling was how glad they were that I was going. (Laughter.) I speak to-night to a great company of Harvard men, whose last thought, I hope, is how sorry we are." (Prolonged cheering.)

Mr. Choate's good-bys were a serious matter, or would have been to anybody but him. Besides the lawyers he spoke of, the Union League Club gave him a farewell dinner. He went early to the pier and went aboard to receive his friends. Fifty lawyers came to see him off, *The Evening Telegram* said. At all events he got away very cheerfully.

He got to Southampton on the 1st of March, was met by the Mayor and a deputation partly British and partly American from the Embassy, received an illuminated address from the Southampton Chamber of Commerce and made his first speech as Ambassador. In London he put up at Claridge's. The next matter was a house. He could not get the house that his predecessor, Mr. Hay, had had, but with Mrs. Choate's complicity and assistance he presently acquired Lord Curzon's house, No. 1 Carlton House Terrace, which Levi Leiter, of Chicago, had given to his daughter Mary when she became Lady Curzon. It was a first-rate house for an Ambassador, in the same row with the house, No. 5, that Ambassador Hay had had. On the 6th of March he went to Windsor with Mrs. Choate and was presented to the Queen, for that year was still the nineteenth century and belonged to the Victorian age. His first considerable speech was at the dinner of the Associated Chambers of Commerce of the United Kingdom. Of this discourse a London commentator said:

"Since Lord Dufferin left the diplomatic service, it would be hard to find a single member of the diplomatic corps who could be relied on to make such an impression on a mixed and critical audience as Mr. Choate produced apparently without an effort on his first public appearance in London. He was speaking to the nation as well as to the Chambers of Commerce. There is a rational frankness and lucid unconventionality about the American Ambassador's style which is found to be extremely attractive, especially by those who are sorely wearied by the rounded periods and studied impromptus of average British eloquence. Mr. Choate was boldly and successfully outspoken about the very things on which educated Englishmen think much but say little in public and he expressed average opinion here quite as much as that of his own country. To refer in a maiden speech to the War of 1812, to the international disputes on the Oregon and north-eastern boundary questions, the Confederate cruisers, the *Trent* seizure, and the Venezuelan message required no less magnetism than diplomacy—if these topics were to be successfully employed by Mr. Choate as stepping stones to the goal of international understanding. There was thus more to be found in the speech than the racy adroitness of a trained advocate. It was the utterance of a clear and sagacious mind speaking for two great nations; a mind more intent on the reality of things than the glitter and graces of words, and yet with finished mastery of style that hid the art concealed."

So in England at least that speech was highly successful. When cabled home it gave a chance for criticism. One passage of it that concerned the Venezuela disturbance ran:

"You know that on our side of the water we love occasionally to twist the lion's tail for the mere sport of hearing him roar. Well, that time he disappointed us. He would not roar at all. He sat silent as the Sphinx, and, by dint of mutual forbearance—our sober second thought aiding your sober first thought—we averted everything but a mere war of words."

The Sun complained of that. "What are the facts?" it said. "They are that from first to last the United States, as represented by President Cleveland, had but one thought, always sober, namely, that the dispute between England and Venezuela should be submitted to arbitration; and that England's first thought of refusing arbitration was followed by a second thought, of admirable sobriety also, that arbitration should be submitted to."

In April Mrs. Choate was away in Paris, getting clothes, and there are letters:

To His Wife

"American Embassy, London,
15 April, 1899.

"To begin at the point where you left me. I went 'round to St. Michael's Church in Chester Square and heard my old friend Bishop Whipple preach a most animated discourse on Indians and such to a very crowded audience. His pretty young wife was with him, and 34 and 74 seem to get along well together. After tomorrow they are to be at Lady Ashburton's Kent House until May 13th, when they sail.

"Mr. Morgan came to lunch and seemed to enjoy it and approved the house very much.

"Lady Reay, seeing how bereaved I was by your departure and Mabel's has invited me to a family dinner on Friday. Today comes a letter to you from Mrs. Butler, of Cambridge, wife of the Master of Trinity, asking us to come and spend a Sunday there this Term, suggesting May 13th. What do you say to that?

"I hope that you have already given all your orders, been measured for all your dresses and have nothing to do but sit 'with your feet up.' You must not forget the heavy labors that await you in London."

(April 18.) "Yesterday I devoted the afternoon to personal calls and succeeded in making thirteen—only getting in at Sir Henry Irving's lodgings and the girl soon found that he was out after all. Today Jo is to take the carriage and do the like. I object to going out in so much style and greatly prefer a hansom, but I suppose must submit to being an Ambassador. * * *

"You say '*Don't eat things*' but would you have us starve? At tea I tried the *loaf cake* yesterday and found it quite good."

(April 20.) "In answer to the enclosed note from Lady Burdett-Coutts, I called on her this afternoon to see what she wanted.

"It was that you should attend at the Crystal Palace on the 13th of May, Saturday, at the annual meeting of the Royal Society for the Prevention of Cruelty to Animals and distribute the prizes to the children of the schools who compete for the best essay on the subject.

"The Queen and all the ladies of the Royal Family have from time to time rendered this service, and this time they wanted you. I told her that you felt highly

honored and would like to serve them if disengaged, but was not sure of that; that there was a pending trip to Cambridge to visit the Master of Trinity on that same day and I did not know what you had decided about that—so on receipt of this I wish you would telegraph me what answer I shall make."

(April 21.) "The dinner of the Literary Fund came off last night and was very interesting. I sat on the Chairman's right and next to me was Lord Leven, through whose grounds we drove at Bournemouth, and Lord Edmund Fitzmaurice. The Chairman, Sir George Trevelyan, made a fine speech and so did the Master of Trinity. I send you the best account which was in the *Post*, though quite curtailed to make room for the Crewe-Primrose wedding which absorbed all London yesterday. The Bridal party drove through serried ranks of on lookers that would have done credit to Royalty. I told the Master of Trinity, who was very cordial about it, that we would I was quite sure come to them on the 13th and so I telegraphed you this morning that I would decline for you Baroness Burdett-Coutts affair which I dare say will relieve you. I also asked in the same telegram whether I should accept the Campbell-Bannermans' invitation for you and me and Mabel to dinner on the 10th of May which is your first drawing room day. I suppose you'll be very tired and Mabel too, but you can wind up the day with a reception at Lady Durning Lawrence 13 C. H. Terrace, which is so near. * * *

J. H. C."

The chairman of the Literary Fund dinner that he speaks of mentioned that the chairman of the first dinner

(one hundred and nine years before) was Benjamin Franklin. Mr. Choate responded to the toast of "Literature." "The political ties by which Great Britain and America were once united are now," he said, "severed forever, but the literary ties which unite them have never been and never can be severed." He went on in that vein, observing finally that if he were asked for the names of two men who had done the most to strengthen the bonds of unity between the two great nations, he would name Sir George Trevelyan and Captain Alfred T. Mahan.

To His Wife

"London, 22 April, 1899.

"Last night Lady Reay's 'round table' proved to be quite a dinner-party. Mrs. Bernard Mallett sat next to me and said we must come down to Windsor again, and see the library and the many antiquities it contains in which she seems to take great interest. She is one of the Queen's secretaries, and will be on duty in July, and says if we will come she will give us tea in her room.

"Then there were Lady Munro-Ferguson—daughter of Lord Dufferin—a beautiful woman, and one of the Duke of Argyle's sons with a very handsome wife,—the Danish Minister with his wife and daughter, and a Lieut. General.

"The Prince of Wales receives me next Saturday."

(April 25.) "Last night I dined with Mr. Blyth to meet the Duke of Cambridge and all the swells of the Royal Academy, which has its opening and annual public dinner next Saturday. There must have been at least 60 present. I sat between Prince Edward of Saxe Weimar, an old English General and the host's brother, and op-

posite the Duke who is a fine old fellow of 80, cousin of the Queen and evidently a great favorite. I was surprised when I asked at what hour to order my carriage to be told 11½, but I managed to get away soon after 11. * * * "

(April 26.) "I didn't know that any report had got out of anything said by me at P. Bigelow's dinner and think Kitty must be mistaken. * * * "

(April 27.) "Last night I took Judge Andrews to the Eastern Dinner at Gray's Inn and we both enjoyed it immensely. They have a grand old hall which dates back over 500 years, one of the few real pieces of antiquity spared by the great fire, and ornamented with old portraits, among them Queen Elizabeth and Francis Bacon, both of whom are said to have danced there. Then they had a lot of quaint old customs which have come down through the same half century, and are continued just for that reason, and no other. Before we sat down little pellets of bread were passed round and a loving cup of punch to wash them down with through the whole company, for all the world like an old fashioned Presbyterian communion. There were a lot of young Indians at the students' table some of whom had white turbans and some black. Four of the students including one Indian were 'called to the bar' in the midst of the feast, and their healths drunk. For dessert we moved into another room to a new table and there was a new shuffle of the company. * * * "

(April 28.) "Sure enough some one sent me a report of my remarks at the Bigelow dinner but they were not very accurate and not at all mischievous. * * *

J. H. C."

A newspaper item, dated London, May 8, says:

"The United States Ambassador, Mr. Joseph H. Choate, was the central figure at the annual meeting today of the British and Foreign Sailors' Society at the Mansion House.

"The Duke of Fife, in introducing Mr. Choate, said: 'I ask you to give a warm and vigorous welcome to one of America's most brilliant sons.'

"Mr. Choate made a happy hit by saying, with reference to the name of the society, that he was neither British nor foreign, but simply an American. 'But every American is entitled to feel sympathy with such a society as this, in view of its historic interest, inasmuch as its founder, Admiral Gambier, signed the treaty of peace of 1814, a treaty which has never since been broken by the two nations and, I trust, never will be.

" 'Another reason why my sympathy is as I have stated, is that in some measure I represent my large-hearted President, whose letter, full of feeling, has just been read. When we look across the page of history we see Nelson, the great, typical sailor of all ages and races. But in the past year two new heroes have come to stand by his side in our own Dewey and Sampson.' "

President McKinley said in his letter: "This is a great year for the Anglo-Saxon race, and the sailors of both nations are coming in for a full share of praise for their splendid achievements."

On May 27 he went to the dinner for the Actors' Fund and gave the toast "The Drama." He had been studying, he said, that great national institution of England, the dinner for charitable purposes, and he made some amusing observations about that. He had never himself

been connected, he said, with the drama except in one capacity, and that was as one of the audience. That, in one respect, was perhaps the most important part of the drama; for what became of playwrights, actors, scene-shifters, ballet-dancers, and all the rest if there was no audience? For many years past American actors and actresses had done much to ennoble their calling, and when they had come to England they had been received with enthusiasm. It was Charlotte Cushman who said: "To me it seems that when God conceived the world, that was poetry. He formed it, and that was sculpture. He colored it—that was painting. He peopled it with living beings—that was the Grand Divine Eternal Drama." He went on to talk of English actors from David Garrick to Henry Irving. Lord Dartmouth was the chairman of the dinner, and he told about his ancestor who was secretary in the Colonies before the Revolution, "a true friend," he said, "of liberty and justice," so that he had the confidence of the American people and Dartmouth College was named after him.

It is noted in the *Pall Mall Gazette* of June 6, that at a hospital bazaar in Marylebone, "one of the most interesting of the stalls is the American and Kensington stall, presided over by Mrs. Choate, the wife of the American Ambassador, and largely occupied with articles sent by American manufacturers in London."

Among the visits that Mr. and Mrs. Choate made after the 12th of August was one to Mr. Carnegie, as to which he says:

"Skibo Castle, Ardgay, N. B.
Tuesday, 22 Augt. '99.

"DEAR JO:

" * * * We are having a very good time at Skibo—out of doors all the time in the most delightful country—

and I begin to understand the charm of the Highlands. But *you* must learn to *shoot*. No young man here amounts to much without that, and I am ready to present you with a good gun, as soon as you will undertake to try your hand at it. Yesterday we had a 'deer drive' and brought home six, and I very much regretted that I had never learned the art. * * *

FATHER."

To His Wife

"American Embassy, London
21 Septr., 1899

"The talk is still of war, but the delay confirms my belief that there will be no war. Cruger will yield enough to enable the English to avoid such a catastrophe.

"The tide of home-going Americans still continues, and many of them come to the office. Today Admiral Walker and Colonel Hines called to see me; they are on the Commission to examine and report on the whole subject of an interoceanic canal and have been in Paris to see what remains of the Panama Canal, of which as the result, they seem to think very well.

"Whether I shall be able to come before Saturday night is not yet certain. My interview with Lord Salisbury tomorrow is at so late an hour that I may not be able to complete my report to Washington in time to take the train that evening, but I shall do my best in that direction.

"London is perfectly delightful—cool and bracing and absolutely clear, so that the sunshine and moonlight are as good as you have.

"We don't like dining out of the house, but as it is best for a day or two, can stand it.

"Tell Mabel that Major is fine, but as they are still repairing both on the Mall and Bird Cage Walk she could not ride if she were here. To go all the way to Hyde Park corner on the pavement would be too dangerous. The other horses are all in first rate shape."

From the time he could afford it until late in life Mr. Choate concerned himself to have horses fit to ride and rode them habitually. It was one means he used to keep in working condition. There is much about horses in his letters.

He made a speech at the opening of the Sutherland Institute at Longton, in Staffordshire, on October 27—an amusing, informing, ingratiating discourse about as usual.

"And now a word or two about the Anglo-Saxons. Now the pure and simple Anglo-Saxon race is a matter of history, somewhat remote, possibly. Features of it survive. Its grand, impelling power survives. Its devotion to justice and freedom and civilization survives. But the Anglo-Saxon race has been a little diluted; it has been a little mixed. Didn't the Danes come and leave their mark in these Islands? And did not the Normans come, and for a little while, a few centuries, appear to get the better of the Anglo-Saxons? Now here is his Grace, the Duke of Sutherland, posing as an Anglo-Saxon. I don't know, but if we had a skilful analysis of his blood, if Pasteur or some equally skilful scientist could draw some of that rich liquid from his veins and examine it, they would find little of the Anglo-Saxon, a good deal of Scotch, some Norman, and what part of it would be finally eliminated and set aside as pure Anglo-

Saxon liquid, I for one cannot guess, and I do not believe he can. Why, I saw at Trentham today a huge volume of the Sutherland pedigree. It would require a careful reading of all its pages in the light of history, geography, and family life. Well now, when you come upon our side of the water there is a still more modern blend. We get the Anglo-Saxon once or twice removed, all mingling with the Danes and Normans. Then what took place? Why, there flowed into our national veins copious streams of rich blood from other nations of Europe. First came the Huguenots, refugees for liberty, and their strain was mingled with ours. Then came the Irish, bringing in a rich vein in addition to our blood, rendering great service on many fields, and many successive services on many fields, and in many successive generations. The Scotch came away back with William Penn, and afterwards. They occupied whole counties and their generous blood entered in to make our composition. And then the German came, a most copious tide of kindred blood, and that has mingled in our veins. And since then all the Scandinavian regions, and Italy finally have sent rich contributions. Now then what is the result? Why a new man has been created. He fills with seething masses of population all the region that lies between the Alleghanies and the Rocky Mountains. He rules America. He is not an Englishman, nor a Scotchman, nor an Irishman, nor an imitation of any of these nations of Europe; but he combines them all. And in the composition is a new and perfect blend. What will come of it time will only show. I can speak for his indomitable will to maintain liberty and his high resolve that that liberty shall always be protected by law. Now then, we are under divers obligations by this kinship which

we bear not only to England, not only to Scotland and Ireland, and to Germany, but to all these nations of which we are in part made up. And if I understand rightly the will and purpose of the American people, it is to maintain peace and friendship with all so long as it can possibly be done with honor. Of you we feel sure. Of the others we feel sure. For eighty-five years we have settled all our controversies with you, with peace and honor; and, if I rightly recollect, we have not had a quarrel that required a resort to force with any of the others. Well, what do you see? It is not exactly an Anglo-Saxon race. I prefer the other form, in which his Grace has expressed it—the English-speaking peoples. I think the English-speaking people, scattered on all the continents, and all the islands of the sea, has achieved, and is daily achieving wonders for civilization. It seems to me to have borne in mind more thoroughly and directly than any other people the injunction that was first laid upon mankind: 'Be fruitful and multiply and replenish the earth, and subdue it; and have dominion over the fish of the sea, and over the fowl of the air, and all the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth.' And so I say, as a concluding sentiment on behalf of these English-speaking peoples throughout the world, wherever they have dominion, under whichever flag, may they be true to their responsibilities and maintain always honor, justice, civilization, and liberty."

On November 4 he and Mrs. Choate gave a dinner to ex-President Harrison and had the Marquis of Salisbury, the Archbishop of Canterbury, the Lord Chancellor, the Marquis of Lansdowne, Lord Wolseley, the Bishop

of London, Mr. Balfour, Mr. James Bryce, and other very distinguished people to meet him. On the 10th of November he responded to the toast on "Literature" at the sixth annual dinner of the Sir Walter Scott Club in Edinburgh. He could talk from his heart about Walter Scott, and he did. A passage out of this address may be quoted for what it tells about the speaker; he said:

"Carlyle has said, after nobly describing Scott as the pride of all Scotsmen, giving him credit for an open soul, a wide, far-reaching soul that carried him out in absolute sympathy with all human things and people, after giving him credit for that wonderful and innate love of the beauty of nature and the power of describing it, and his infinite sympathy with men as well as with nature—he has in one of his most accurate utterances said that if literature has no other task than pleasantly to amuse indolent, languid men, why, here in Scott was the perfection of literature. Well, now, for one I must confess that every now and then I am one of those indolent, languid men—and as I look along these tables, if I rightly study your character and moods, I suspect that this is a great group of those indolent, languid men who believe that it is not only the task, but it is one of the greatest tasks, of literature to amuse and to entertain mankind. Why, I have often thought that I would rather have been the author of one such book as 'Waverley,' or 'Kenilworth,' or 'Henry Esmond,' or 'Romola,' than to achieve any other kind of personal, professional, or public fame. The good that these books do us, the rest they give us, the enjoyment they yield us among the hundreds of millions that read the language in which they are written is absolutely infinite, and the fame that the author of such a book wins rivals, if it does not outshine, all other

kinds of fame. Look at it now. 'Waverley' was written in 1814—a memorable event in the history of British literature. The battle of Waterloo was fought in the next year—one of the great critical battles of all human history. Eighty-five years have gone by since then, and which name is now the dearer to mankind; which one now enjoys the wider and the better fame—Wellington or Walter Scott? I shall not answer that question. I leave every man to answer it for himself."

He and Mrs. Choate went to Windsor on November 21 to dine and to meet the Kaiser, who was a guest there. On the 30th he went to the Thanksgiving Day dinner of the Americans in London. He spoke, of course; very interesting words, containing what his Edinburgh speech contained and what in all his speeches he managed to include—the message of British-American friendship. "Truly," he said in Edinburgh in starting his discourse, "your country, Mr. President, and mine are connected by bonds of sympathy, which were never stronger and closer than at this very hour. When Dandie Dinmont had listened to the reading of Mrs. Margaret Bertram's will, he threw himself back and gave utterance to that great saying: 'Blood is thicker than water.' Little did he dream that he was giving to two great nations a watchword for the exchange of their love and greetings eighty years afterwards."

To His Wife

"Dunraven Castle, Bridgend, Glamorgan.
27 November, 1899.

"If I had thought there was any possibility of your being well enough I should have telegraphed you this morning to be sure and come tomorrow morning, for

the air here would cure anything. The castle looks right out upon the sea, and this morning we looked out upon bright sunshine and blue water, very near the house, and in a few minutes a great herd of deer came running over the downs and stopped under the windows as if to be admired, as you may be sure they were. We look out west upon the ocean with nothing between us and New York, but to the south through a mist the coast of North Devon is dimly seen. The air is very bracing and I have been walking all day—in the forenoon with a pretty woman, Mrs. Skeffington-Smith, whose husband is a captain in the Cold Stream Guards and was in the battle of Belmont only last week. In the afternoon I went alone while the rest were on the golf grounds where Mabel did not play, but went around with her kodak. The party is very small—six that were invited having failed like you. Lord and Lady Dunraven and Lady Aileen, their unmarried daughter, are most cordial and hospitable and make everything go well."

Mr. Choate had been counsel for the New York Yacht Club in a case where Lord Dunraven was concerned, but apparently no hard feelings had survived the hearing.

To the Same

"London,
20 December, 1899.

"Tonight Mr. Hay will arrive and I have invited him to lunch tomorrow and to dinner on Friday. He will be set upon apparently by all the people in town who have relatives prisoners in Pretoria, and who are all anxious to send out by him letters, money, clothes, chocolates, and other good things to their imprisoned friends.

Just now seems to be the darkest hour that England has known for many years, and I see that even such pro-Boer sheets as the New York *Sun* and *World* are beginning to relent of their hostility.

"It will be a most dull Christmas in London. All who are not gone to the country are overwhelmed with anxiety and distress about their friends at the front.

"There is no news today from the war, but everybody seems much encouraged by the appointment of Generals Roberts and Kitchener to go to the Cape."

To the Same

"Coombe Abbey, Coventry.
26 Dec. 1899.

"You certainly have lost a visit to one of the loveliest old houses in England—a veritable old Abbey, with the cloisters turned into galleries and but for the 'new wing' it would be most unique. * * * The house is full of interesting pictures—Vandykes & Lelys, and a Charles I. or II. by Vandyke would pass for a portrait of the present Earl. I have a big room which was intended for you, covered with tapestries of fine quality. The company consists of the Bradley Martins & Mrs. Sherman, Lady Strafford & her daughter, Mrs. Keppel, Lady Violet Finch, Hon. Mr. St. Aubyn, and Mr. Fredk. Martin, a brother of Bradley, & Mr. Bishop.

"By some strange blunder the baggage of Mrs. Keppel and Mr. Bishop 'went on,' and so for 24 hours they have had to appear in borrowed plumage, and as I am the only man in the house with a big enough neck for him I had to lend him shirt, collar & cravat, and Mrs. K. came down to dinner in a dressing gown of Lady Craven's.
* * * J. H. C."

Mrs. Choate lost the visit to Coombe Abbey because she had succumbed to the winter climate of London and come down with influenza or bronchitis, as did also Joseph Choate, Jr. They got out of London and went to Cannes as soon as they could. Miss Mabel Choate succumbed a little later and followed them to Cannes about the end of January. The Ambassador, who was proof against many things, including climate, stayed on in London until the end of March, when he joined his family at Cannes. He and Mrs. Choate had had a plan to go to Greece for his two months' leave in the spring, and he was very desirous to carry it out. They started, but as will be gathered from the later letters, Miss Choate's recruited strength was still unequal to the journey and they had to come back to Cannes. There Mrs. Choate and her daughter stayed on, and the Ambassador, after a few weeks with them at Cannes and a fortnight at Grasse, a little village on the heights back from the sea, finally went back to London about the middle of May. Through the rest of the season Mrs. Choate was in London with her husband, and Miss Choate lived, invalided, in a cottage at Wimbledon. In August she and her mother went to St. Moritz. There Mr. Choate joined them towards the end of September and went across the Maloja Pass down as far as Menaggio, but there Mrs. Choate fell ill. The Ambassador went back to London; his wife and daughter brought up at Lucerne and did not get back to London until Christmas. Of course so much illness made it a hard year for the Ambassador's family, but after that they had better luck and Mrs. Choate was able to stay pretty constantly in London with her husband except for short trips, and in the winter of 1902–1903 they all had "a wonderful three months' journey

to Constantinople, Greece, and Egypt," of which there is no available record because Mr. and Mrs. Choate and their daughter were together.

While in England Mr. Choate and his family spent their summers in various ways: in 1899, visiting; in 1900, on the Continent; in 1901 and 1902 he took a house in North Berwick, Scotland; in 1903 they came home for J. H. Choate, Jr.'s, wedding, and then went to the Continent; in 1904 he took a house in Hertfordshire to be near their friends the Mount-Stephens, and liked that best of all.

The letters that follow are to Mrs. Choate, at Cannes, or wherever they found her, with her daughter. There is a record of Mr. Choate's speaking at the opening of a new public library at Acton on January 4. On January 19 he writes to his wife:

" * * * My dinner at the Antiquary's was very enjoyable, and that last night at Mrs. Ritchie's a great success. Of course I had the honor of taking the Princess out to dinner and found her very lovely. She spoke of Lady Waterlow and is evidently very fond of her. The women were all American, Mrs. Ronalds, Adair, Newhouse, Blow, Miss Astrop. * * * "

To the Same

"1, Carlton House Terrace, S. W.
22 Jany. 1900.

" * * * The war news today showing very heavy fighting without definite results makes people very restless and anxious. I met your friend Sidney Colvin 'round at the Club just now, and he seemed to think it was not good—and as he sees everybody and hears everything

that probably indicates the general feeling in London tonight. I have had quite a busy afternoon in spite of the rain—lunched at the Carters' with Lady Grey Egerton, Mr. & Mrs. Prescott Lawrence and Mrs. Padelford & one English gentleman whom I did not know but he looked like a Bentinck. I drove out to Sir Gorell Barnes's to make our visit call and in honor of Henry's birthday. Lady Barnes I thought seemed much better than in the country but said she was about the same. Called at Lady Tweeddale's and there were Lord Egerton and the Duchess of Buckingham, both of whom expressed great regret that Jo missed his visit to them at New Year's, and still more that he was prevented by influenza. The Duchess said she had it two years ago, *and had never been well since.* I told her she kept up appearances wonderfully for nobody looked better. Lady Jeune was not at home, but Mrs. Bradley Martin at Claridge's was. She said that Mrs. Sherman was quite poorly and showed me a letter from her in which she said she had sent for Sir William Broadbent, who had put her to bed, and surrounded her with the entire contents of a drug store. They had a funny adventure last night. Went to the great concert at Albert Hall and got out at half past eleven and got into their carriage to drive home but didn't reach their hotel till ten minutes of one. They got into an absolutely dense fog, through which nothing could be seen and nothing could move. The police said that if they went straight on, they would be safe. Pretty soon they found the carriage on the side walk, whereupon Mrs. M. got out, and holding that tiny footman by the hand, she in evening shoes and he in his tiny boots, they walked the rest of the way to Claridge's, feeling their way mostly along the fronts of the houses.

"Your description of the glorious sunshine, air and scenery at Cannes almost lights London up, but there are no changes here yet. Fog yesterday and rain today. * * * "

(January 23.) "*Horrid ink!* I don't find it easy to write 1900 yet, having for 68 years tomorrow written 18—. It seems to take twice as long to get used to the change as at the turn of an ordinary year. * * *

"Mr. White returned yesterday and reported seeing you at the Station and in good shape. So I have no doubt the air of Cannes is doing you much good. Mabel I am happy to say is progressing and seems really to enjoy the rest cure. * * * When she and you are both away I don't see who is to attend to the wandering Americans, who are already beginning to arrive. Two daughters of Chief Justice Fuller are at the Carlton and what can I do for them? I think I must have a female attaché of the Embassy whose business shall be to take care of these visitors. One of them lives in Tacoma and her husband, Mr. Wallace, is a Democratic politician who says they are going to reorganize the Democratic party, get rid of Bryan, nominate Dewey, and get rid of all of us at one swoop. So you see we may get home next year after all.

"I attended the Memorial Service for Lord Lothian at the Chapel Royal today, a very fine service and well attended, Lord Salisbury being present, the actual burial taking place at New Battle Abbey at the same hour. * * *

J. H. C."

(January 25.) " * * * The war news doesn't come and everybody is very much on the strain. It still looks as if

Buller hadn't force enough to do what he has undertaken, but if he does it, it will be a famous victory. Did you read Lord Rosebery's speech at Chatham? Much the best speech yet delivered on the Liberal side or perhaps on any side since the war began. Unless some good news comes before Parliament meets there will be a great to-do there. Some scapegoat must be found, but it seems to me that the ministry are all equally responsible for the situation and they will stand by each other like men. * * *

"I enclose a good letter from George and one from a woman whose crochet lace you seem to have misappropriated. Poor thing! I suppose it ought to have been returned at once, but it can't be found. Where is it?

"Jo's letter to Mabel gives a glowing description of all your doings & surroundings. I am glad he declined to play poker with the Grand Duke."

(January 25.) "Mabel did not show me till I had sealed up my letter last night your very handsome birthday present—which was most welcome and handsome. My desk will now be admirably equipped, and I shall have you ever in my thoughts. I also had a cable from Beaman expressing the good wishes of all hands there. Only think of Mr. Evarts reaching his 82nd birthday two weeks from yesterday. I must write to Eliot to send him some flowers from us as usual. I have purchased a pair of silver candle sticks for Miss Lilian Pauncefote which will go forward by the 'bag' in season for her wedding. Today I had the Fullers (daughters of the Chief Justice), Mrs. Wallace and Mrs. Francis, at lunch and we got along admirably with the aid of Mrs. Carter (who was good enough to come and preside) her husband and Bayard (Cutting).

"All London is in a ferment today over the capture

of Spion Kop by General Warren. I hope it means a speedier end to this terrible war. * * *

"The Bishop of London & Mrs. Creighton have asked us to dinner at London House on Feb. 7th, but I have declined for you and Mabel telling her that that was the day you had fixed for coming home, but that I didn't dare to say that you would be home in time. Colonel Hozier was so touched by the 'Ambassador's graciousness' in returning his call in person, that he wrote inviting you and me and Mabel to dine with him at the Cavalry Club on the 30th, which of course had to be declined. Today has been almost as fine as a winter day in New York only warmer, and the grass in the Parks in sheltered places is quite green. Really the winter here seems to be only a rainy season."

(January 26.) "London is down again today upon the report of the loss of Spion Kop. I fear it will greatly prolong the war, and entail a vast amount of suffering on both sides. * * *

"Today I had Sir Chicken Lo-fen-luh, the Chinese Minister to lunch, as he wanted to talk over some business with me. He is very good company indeed and was splendidly dressed. He had heard nothing of the deposition of the Chinese Emperor of which the papers are full, and says the real power in China is the Dowager Empress. * * * "

"Terling Place, Witham, Essex.
28 Jan'y. 1900.

"You would have been delighted with this place and party. Lady Rayleigh is delightful, very like her brother Arthur Balfour & I think infinitely proud of him. She plays the organ very nicely and is very jolly though not very well just now. And not only would she have taken

Jo's heart, but I wish he could have been with us when Lord Rayleigh took us 'round his laboratory and showed us all his apparatus for the most delicate chemical experiments. He had some 'liquid air' there, and though it was some hundred degrees below zero in temperature, when he poured it from one glass to another it was set violently boiling by contact with the warm air.

"The company consisted of Lord & Lady Salisbury and Lady Evelyn, Lady Sophia Palmer, Lord Selborne's sister, & Lady Mabel, his daughter, Mr. & Mrs. Mallett, Miss Baffie Balfour, and Lord & Lady Battersea, with a couple of young men, Mr. Noel Buxton & Mr. Ronald Malcolm.

"Lord Rayleigh has a great landed estate—several thousand acres—has more than 500 cows to be milked every day and sends the product to the London market. Hatfield Peverel is right in the heart of the County of Essex, and as Lady R. had a great quantity of books of history of the country I looked them over. I was interested to find my own name (Joseph Choate) on the poll lists in various parts of the country scattered along anywhere in the last hundred years.

"The news today is the worst since the war began—this second defeat of Buller and the retreat across the Ingela in spite of his promise that there should be 'no turning back' is a bitter pill for people here to swallow. The opening of the Parliament tomorrow promises to be most interesting. * * * "

"1, Carlton House Terrace, S. W.
31 Jany, 1900.

" * * * Yesterday I attended the opening of Parliament, which seems to have disappointed everybody.

The Government people had an uphill road, and to judge from what all the papers say have failed to satisfy public expectations by their explanations. But it seems to me that little good comes from that sort of talk. If the war must be fought to a finish, better to drop all criminations & agree upon the best mode of doing it. As long as the quarrel with the enemy lasts, quarreling among themselves should be postponed. But of course you won't quote me about this unhappy business. Sir Stafford Northcote was inducted with all the ancient ceremonies. Both houses were packed above & below—peeresses invaded the diplomatic gallery and I found myself seated between Lady Londonderry and Lady Gwendolen Cecil. Tonight I am to work out your dinner at Lady C. Beresford's—a send off for Lord Charles, who starts tomorrow for the Mediterranean Squadron. The Queen telegraphed me yesterday to know how Mr. Phelps was—of course through Sir Arthur Bigge. She seems much interested in his illness."

(February 7.) "Tonight I dine at the Bishop of London's; tomorrow I'm determined to go to the theatre; Friday at Mrs. Padelford's; Saturday at Lady Hilda Brodrick's, and Sunday lunch with Lady Dorothy Nevill. So you see I am seeking consolation where I can best find it."

(February 8.) "Americans are beginning to come in force, and this morning I have had quite a reception. Among them was a handsome girl, a Miss Weld from Dedham, daughter of my old friend General Weld. She said she went to dancing school with Jo—met him at the Van Dyck Gallery the other day but he didn't recog-

nize her—which was a pity—she was so very nice. Then there was another very good looking girl, Miss Smith, who said her mother was a Miss Palmer of Cleveland & went to school with you there.

"The Bishop of London's (Creighton) dinner was very ecclesiastical. Convocation is sitting and so they are all in town. Lincoln, Chichester and Winchester, and an ex-Bishop Barry, from Australia were all there & Scott Holland, Canon of St. Paul's, the great radical, the dowager Duchess of Bedford and Mr. & Mrs. Francis Buxton were other guests. The oldest Creighton girl is on the *Teutonic* returning from America where she has been four months visiting the Chapmans, Nortons, Eliots, etc., etc., and having a great time. Her mother is afraid she has been thoroughly spoiled—thinks the women of America are wholly given up to hen parties, hen dinners, hen receptions, etc. I told her I guessed it would all come down to 'ladies luncheons' which were universal. She thought that was very bad, because no ladies ought to have any leisure for social purposes, until evening. * * *

"None of my secretaries here can read enough German to spell out the Flinsch, Frisching imbroglio, but Mr. Carter thinks it is betrothal and not marriage and Jo may confirm that. It is very cold here still."

(February 9.) "Last night after a walk with Bayard around Kensington Palace I took an early dinner at the Athenaeum Club, and went to see 'The Only Way,' a capital dramatization of 'The Tale of Two Cities'—Dickens's best novel—which I enjoyed very much. The only person I knew there was Lady Charles Beresford, who is, I believe, a great lover of the drama. She in-

troduced me to two gentlemen in her box; one was an American actor, named Kittredge, about to make his debut here, and another as I understood her, a distinguished scene painter, but it may have been a painter of scenery. Today began in London's darkest style, but by eleven o'clock the sun and skies were brilliant.

"It looks to me now as though they were going to strike some more effective blows in South Africa, and with all their great Generals out there and 194,000 men they can hardly do less. Anything that will bring this frightful war to an end will be welcome."

(February 10.) "Last night at Mrs. Padelford's I met a lot of new people, among them Lady Winnington, one of the Spencer Churchill tribe and cousin of the Duke of Marlborough, who was very agreeable, Lord & Lady Saltoun, Lord Onslow and Lord Rowton—all very pleasant people. The Carters also were there, the hostess being a Baltimorean. I find it quite embarrassing to have all the ladies wait for me to start. * * *

"Another retreat of Buller across the Ingela. I should think he and everybody else would be tired. I'm afraid the end of the war is not in sight. * * * "

(February 12.) "I enjoyed the Brodricks' dinner very much. The Lord George Hamiltons were there, Lord Monk Bretton and a lot of other nice people. Lady Dorothy Nevill's lunch was most agreeable. It seems she has the blood of all the Walpoles, being a lineal descendant of Sir Robert. She had her nephew Lord Orford, Lord Cork, Mr. Gould of the Westminster and Col. Saunderson, who kicks up such a row with his brother Irishmen.

"There is no good news from the War yet and everybody is gloomy. I enclose a cutting from the New York *Sun*, which Allie Evarts sent me and said it was, he thought, a fair view of the inclination of feeling in America."

(February 14.) " * * * I have asked Mr. White to occupy our house and run it while we are away, with Jo thrown in. It will be so much better for all concerned that I hope he will do it, although he seemed to think it was too generous a proposition.

"Mrs. Locker-Lampson, to whom on receipt of your telegram I had telegraphed that I should surely come, called in person yesterday morning at the Embassy to make it positively certain. She is going to have a very nice party, including Lord & Lady Battersea & Sir Henry Fowler."

The next letter is to a noted art connoisseur and collector who was knighted in 1909 for his public services and benefactions.

"DEAR MR. COTES: "14 February, 1900.

"I have your very interesting note of the 12th relating to the bust of Washington which you so generously propose to present to the President with a view to its being placed in the Senate House in commemoration of Washington's birthday. I am sure that the President would gratefully accept it, but he could not control a place for it in the Senate Chamber, which must depend on the vote of the Senate or of one of its committees. But he could place it in the White House, or very likely it could find a place in the Congressional

Library. Please let me know if this would modify your wish to present it. If not, by your leave, I will write to the Secretary of State of your generous purpose. Of course it could not in any way reach its destination before the 22nd, but that is not essential.

Yours very truly,

"Merwin Russell Cotes, Esq." JOSEPH H. CHOATE.

"21 February, 1900.

"DEAR COL. HAY:

"I sent with today's despatches a black Wedgewood bust of Washington, which Mr. Merwin Russell Cotes, of Bournemouth, desires to present to the United States on the occasion of Washington's Birthday. It has been long in his possession and is very highly prized by him. He says that many applications have been made to him to sell it, but that he has never been willing to part with it until now that he presents it to the United States through the President.

"It struck me as being a good likeness and a unique bust, and while he would prefer that it should find a place in the Senate, it will be satisfactory to him if it goes to the White House, or to the State Department or the Congressional Library; but he imposes no conditions, sending it as a free gift and a goodwill offering.

"A direct acknowledgment to him (I enclose his card) would doubtless please him very much.

Yours very truly,

JOSEPH H. CHOATE.

"Col. John Hay,
Secretary of State."

The bust was accepted and is in the Congressional Library.

To His Wife

(February 16.) "I came up from the Locker-Lampsons' this morning to attend to some business, and go down again this afternoon to return again for good tomorrow morning. I find it a very delightful place and am sorry that you and Mabel could not be there to enjoy it. It stormed hard all day yesterday so that we didn't step foot out doors, but there was plenty in the house to enjoy. In the first place there was a very pleasant company, Sir Henry Fowler, the Batterseas, the Grant Duffs, Col. Durand who wrote 'The Making of a Frontier' and who is now on furlough, and quite a lot of young people. The house is a most attractive one with many large rooms opening into one another. It looks as though it might have been originally an Abbey—grand oak beams and oak arches dating back to Elizbeth's time, splendid oak panelling all over the house, iron fire backs dated 1584, etc., etc. They have been great collectors—etchings by Michael Angelo, Titian, Raphael—pretty much all the old masters; books everywhere and one brick vaulted and brick arched room containing rare old editions—first editions of Spencer, Shakespeare and almost all the great men of letters. The L.L.'s are specially sympathetic with America and Americans as her father, Sir Curtis Lampson, was a Vermont Boy. He had a great deal to do with the first Atlantic cable and was knighted I believe for that. One of the sons is in the Foreign office and the other at Cambridge. Today is a most brilliant day—bright and warm and soft—quite equal I think to any of your days on the Riviera, which Jo describes in most glowing colors. * * *

"I am to go to the Foreign office at 3: 30 to exchange ratifications of the Samoan Treaty, which has at last

been agreed on. Do you remember the black Wedgewood bust of Washington (life size) which we saw at Bournemouth? Mr. Cotes now presents it to the President. * * *

J. H. C."

"1, Carlton House Terrace.
February 17, 1900.

"DEAR MABEL.

" * * * Yesterday I went to the Foreign Office to exchange the final ratification of the Samoa Treaty. I expected to receive a slip of paper to that effect from Lord Salisbury—instead of which he handed me a large box containing the parchment Treaty signed by the Queen herself, bound in the richest Morocco covers, very handsomely tooled and decorated with gold & colors, and resting upon the great seal of England in wax of khaki color—as big as a dessert plate and this encased in a silver box with the arms of England upon it. The Lord Chancellor, by the way, has to carry the great seal from which this impression is made about with him wherever he goes. Even when he goes to a country house party this huge seal has to go with him—the traditional theory, I suppose, being that he wears it round his neck or somewhere on his person wherever he goes.

"The last *Life* has a cartoon of Mark Hanna's Dream of Imperialism. It represents him with the Queen prostrate before him, Lord Salisbury and myself holding up her train, while he is putting her crown on his own head, with all the magnates of both realms looking on in admiration. Jo is so captivated with it that he won't let me send it to you '*yet awhile.*' He and Bayard* are going to have an early dinner here at six, and taking an evening train for Sandwich and golf till Monday afternoon.

*W. Bayard Cutting, Jr., his private secretary.

"The better news from the war has set everybody up, so that it was, I think, a great mistake for Lord Pauncefote to announce so long before his daughter's wedding, as I see he has done, that all the festivities which were to attend it have been abandoned because of the War, and the gloom prevailing in London and all over England. Mr. Ritchie at his daughter's wedding was showing a cable from South Africa that they had captured a camp full of Cronje's stores, including *champagne* for the General—which made everybody very happy.

"So many steamers have been taken off the lines between here and New York for War purposes that we only get mails once a week and some of them are very late. * * *

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
19 Feby. 1900.

"Jo and Bayard came back from Sandwich this morning and seem to have had a splendid Sunday on the golf links, though today again has been extremely wet here, and I suppose it was the prospect of that at S. that brought them home so early. R. W. Gilder appeared at my office today, having arrived with his wife on the *Germanic* on Saturday and is at Morley's hotel in Trafalgar Square. This time he has been ordered off for four months, not having been very well. He first tried going to Tyringham in winter, but no sooner got a little better there than he was called to town. He leaves the *Century* in the charge of Johnson, and his children in the care of Dorothy and the oldest boy.

"I judge from your account that Mabel will certainly

not be fit to travel much before April and I shall probably not hurry away from here on the 1st of March as I hardly think I should enjoy a long stay at Cannes. I don't want to travel as Ambassador, or to be haunted by a valet everywhere. If you take Ralph and Lydie we certainly ought to be very comfortable. I am rather inclined to ask Bayard to be with us for three or four weeks at least, so as to get him into good shape before his family appear, whose presence will no doubt make a double demand upon his services. There is to be a Levee held by the Prince of Wales, just announced for March 7th, and of course Bayard will want to go to that, and as it is to be a Diplomatic affair perhaps it will be well for me to stay. Tomorrow I shall try to go into Cook's and talk things over with them, but I shall begin by telling them how shabbily they treated me in Sicily in 1897, when they promised to take back any tickets we did not use, and then made us pay over again for a part of the route on which the Railroad refused their tickets. It was so small an affair that I did not think it worth while to sue them, but I vowed then that I would never have anything more to do with them.

* * *

"Mr. Ritchie came over to my table at the Athenaeum and asked me to send his thanks to you for looking out for his daughter and I read him what you wrote about her in the letter which I received today. He said they had quite recovered from the effects of the wedding, which must have been tiring.

"Jo has just opened a letter from the *19th Century* and was much tickled when a check of £5 for his article fell out of it.

"I enclose a letter for Mabel and a note from her shoe

maker, and am happy to say that my new shoes have come from New York.

"I wish every day that you were here, for while 'no household is complete without a baby,' it is no household at all without the wife & mother.

J. H. C."

He was the guest of the Authors' Club at dinner on February 20. He talked of the importance of readers to authors and reminded his fellow diners that the people of the United States constituted the vast majority of the English-speaking peoples of the globe, and as customers of English writers were entitled to very generous consideration. He told also about the public library system in the United States and how of three hundred and fifty-one towns in Massachusetts, in all but seven the public had the use of public libraries provided at the public expense. He spoke of the teachableness of the people who spoke the English tongue and of the work of Captain Mahan in telling Great Britain about her sea power, and of Mr. Bryce in telling the Americans about their institutions. It was this teachableness, he said, in all people who spoke the English tongue, that constituted their great power in the present and their great prospect for the future.

To His Wife

"American Embassy, London.
21 February 1900.

"At last we have got a brilliant day in London and a bulletin is said to have just been put out at the war-office that Ladysmith was relieved, which relieves London too. Jo and I attended the debate in the Commons and

sat four hours listening to Chamberlain's assailants and to Chamberlain himself. He got quite the best of them and was supported in resisting any further inquiry by a vote of nearly 2 to 1, although if there is any truth not yet known, it will doubtless come out some time or other. There was also quite a debate in the Lords the same day on Lord Wemyss's motion about the Militia (his ancient hobby) and Lord Halsbury said that if Lord Kimberley had not come to their aid, Lord W. would have beaten the Government. The dinner at the Lord Chancellor's was an uncommonly pleasant one, as I knew every one there except young Mr. Ridley (the Home Secretary's son) and his wife. Lady Jeune was there with her husband and pretty daughter, the Duke and Duchess of Somerset, the Duchess of Buckingham and Lord Egerton, the Rayleighs, Lord James and his daughter and the cunning Lady Dorothy Nevill, and there were many inquiries about you & Mabel. The Somersets have taken for next summer that pretty place of Sir Kenneth Matheson's, Gledfield House, Ardgay, to which we went from Loch Carron, close upon their footsteps, and they would like very much to have us pay them a visit there. I haven't yet heard from Washington about my 'leave of absence' but hope to in a day or two. * * *

"It is now 2 o'clock and the sun has been shining brightly since morning—a rare thing."

(February 23.) "Jo mailed you a tremendous mail of New York and other letters, and another to Mabel. So, I suppose you did not miss one from me, but yesterday being our national holiday, I closed the office and we all went away, Jo and Bayard to play golf at Mitcham and I went out to Slough and over the ground, or a part

of the ground that we traversed together in 1879—Stoke Pogis, Burnham Beeches, Eton & Windsor. I had quite lost all recollection of the beeches and certainly it is a wonderful place. The trees must be many hundred years old, and are scattered over 300 acres and more which the City of London has now purchased and made a public park, which will preserve these relics of a remote past for a long time yet. The walk from Slough, where I lunched at the Crown Hotel was most interesting. The Road passes right through Eton and it happening to be the play hours I must have seen pretty much the whole of the school. One great group, the principal one, stood in the road across a field which soon opened and out came the dogs—the Eton beagles—and boys and dogs were all off together hare-hunting. Another lot were at foot ball and still another practising some other game. The country all the way from Slough to Windsor was under water on both sides of the road from the freshet in the Thames which was very remarkable, giving the whole the appearance of the Lake country, with Windsor Castle rising out of the water. * * *

"Jo is off to Baker Street arranging to send Mabel's bicycle. Tell her that I will inquire promptly all about the route to Athens via Marseilles, but I want your word for it that she will be fit to go.

"I met the Tweedmouths at Lady Strafford's last night and found them most agreeable.

J. H. C."

"American Embassy, London.
24 Feb. 1900.

"DEAR MABEL:—

" * * * Yesterday I made some calls—on Mrs. Forbes-Leith among others. I did not get in—but this morning

I got a note from her which I enclose, from which it appears that her whole family are involved in the war, and that she is quite broken up. I don't wonder at it—the strain of it all must be tremendous.

"I am getting to be regarded as musical. Lady Rayleigh reported me as '*very musical*' because I insisted upon hearing her play on her organ. And now Lady Clanwilliam has asked me to come in this afternoon and hear Lady Beatrice play on the violin. This is no doubt my reward for sitting quietly at Lady Strafford's while Mrs. Cory played 'the Prelude.' By the way, I made a terrible break with her for after she got through I observed a young lady sitting on a sofa at some distance who looked just like her, and I asked her—'Is that handsome young lady on the sofa who looks so much like you your daughter?' But it proved to be her *sister*, Lady Carew, who is four years younger. She got back on me very well by saying, 'No, go and ask her if she isn't my mother?' * * *

"The Daveys' dinner was quiet—as their son is in Ladysmith and General Gatacre is their son-in-law. These fearful times are very trying to them.

PAPA."

To the Same

"American Embassy, London.
26 Feb. 1900.

" * * * I am inquiring about those Messagonic Steamers. * * * As the time approaches I find I hate to go away. London is just now the one interesting place.

"I have just received notice from the University of Edinburgh that they have resolved to offer me the Honorary Degree of Doctor of Laws, and inviting me

to come to Edinburgh on the 14th of April to receive it, or if that should not be possible, then at the end of July. * * *

PAPA."

To His Wife

"American Embassy, London.
28 Feb. 1900.

"I don't think we have ever been separated so long but once—and that was when you took dear Effie to Europe in 1891—and you may imagine that I am longing very much to see you, to say nothing of Mabel.

"Today ends February and, it is hoped, the rainy season with it. Lately it has rained every day.

"I enclose a letter from Mrs. Locker-Lampson which she sent me with an acknowledgment of a copy of the 'Reminiscences of Bishop Whipple' who was a frequent visitor at her house.

"Everybody in England is happy now over the victories and if they only lead to speedy Peace the rest of the world will rejoice with them. But I'm afraid that these 3000 are only a small part of the Boers that must be captured before the war ends. * * *

"Tonight I have to drive away out to Hammersmith to dine at Lady Frances Balfour's—my last dinner before I leave. Mrs. Abbey now finds she can't be presented in March and wants to be transferred to May which I fear will not be possible as the places then are all full and every one else wants to be transferred in the same way. Apparently the March Drawing Room will be very leanly attended. * * * "

(March 1.) "At Lady Frances Balfour's last night there was quite a jolly party—Lady Betty who reported her husband as decidedly better but not out of bed yet.

He wanted something amusing to read and I have today sent him Dooley's two volumes. As he has been Chief Secretary for Ireland these five years it ought to amuse him. Then there was the hostess herself who still goes to the Commons almost every day, leaving Miss Baffie in charge of the household. She is wonderfully well up on all the questions and people of the day—Lord Robert Cecil who looks like a terrible invalid, but is practising law very vigorously—the Solicitor General—and Miss Beatrice Chamberlain. Today I am to receive a new Minister from the Netherlands and tomorrow Mons. Boncart who has just been raised to full minister from Switzerland, having long been only Minister Resident.

* * *

"Lady Battersea has invited me to go to Aston Clinton for this Sunday but as I have an engagement here on Sunday I have had to decline—besides it is pretty cold yet for country visits.

"Mr. Peck, Director in Chief of the U. S. Section of the Paris Exhibition, has just been in and says I *must* come there. If I can't go on America's day, July 4th, then certainly on British day, which is yet to be designated.

"Hoping so soon to see you and judge for myself.

J. H. C."

In March he had begun to plan for a holiday with his wife and daughter.

To His Wife

"American Embassy, London.
2 March, 1900.

"Your letter of the 27th & 28th reached me at breakfast this morning, but you could not then have received

my letter which gave the result of my inquiries about the steamship lines, trains, etc., for it must have answered very many of your questions. Everything must depend on Mabel's condition whether we go at all, or where or how or how far we go. The more I think of it the more decidedly I am of opinion that the land route is the best; all things considered, wherever we go, the voyage from Brindisi will be enough. I don't want to take a man along, they are so frightfully in the way, and I have so much of them here. I dislike them the more every day. Mabel thought you would want to take only one maid between you, but there is no reason why you shouldn't take both, and as Mabel is pretty sure to need all she can get out of Lydie I think you had better take Ralph. * * *

"Last night Jo and I saw a fine performance of 'She Stoops to Conquer'—the best I have ever seen. * * *

"Much love to Mabel—as for yourself it seems ages that you have been gone. We seem to have abandoned all our social duties, but in your absence I don't see how that can be helped."

(March 5.) "I was very glad to get your letter this morning. Going by way of Trieste will suit me very well. On looking it up we found it was a very hard journey indeed from Genoa to Trieste unless broken up into several days. Bayard will go as far as Paris with me and then take a train to Rome where he has a lot of friends just now, and join us at Brindisi where the Trieste boats always touch. We are not going to take the train de luxe. We think it is too expensive for us; it is only good for the more delicate clay, but the cost is most exor-

bitant.* So we take the 11 o'clock train Friday, reach Paris at 7 P. M., cross to the P. M. & L. Station where I take the train for Cannes and he half an hour later the train for Rome. Mr. & Mrs. Albert Vickers invited us to dinner. Do you know them? Mrs. Forbes-Leith leaves on Wednesday (by the same train we take) with nurse, maid and two grandchildren, for Costebel. I'm afraid that going so loaded up she won't get much rest.

"I am going to give a lunch party on Thursday for Col. Sanger and his wife who arrived today from New York. She was a Stebbins and he a long time in my office.

"Mr. White arrives tomorrow."

(March 8.) "At last I see a clear prospect of getting off tomorrow morning which I believe will bring me to Cannes on Saturday about 1. * * * I have had to hustle today as there were no end of last things to do, and I gave a lunch party at 2 to the Sangers consisting of the Bryces, Trevelyans, Carters, Lady Dorothy Nevill and my 'new flame,' Mrs. Jack Gordon. It all went off exceptionally well, and everybody was so grieved that you and Mabel couldn't be there. Lady Dorothy was great fun. She and Mr. Bryce, utter antipodes in everything, sat together and harmonized at every point.

"Tonight I have Bishop Potter, Percy Grant and Mr. White for dinner. The Bishop and Grant, his chaplain, are on their way from a voyage 'round the world, and sail on Saturday morning.

"The Queen has arrived and the whole town is wide awake, great crowds everywhere, and much enthusiasm.

* He is still the same man for whom the one-dollar stateroom on the Newport boat was good enough.

Her announced trip to Ireland is thought to be a grand coup.

"Really, my dear, we have been so long apart that I have almost forgotten how you look, but I shall soon realize it.

J. H. C."

He got duly to Cannes, and wrote from there (Hotel Bellevue) on April 3 to his son:

"DEAR JO:—

" * * * I have written to 'Middleman' of Edinburgh to have my gown, hood and mortar board ready for the 14th, and to Rapkine to send him my measure. Those are prescribed requisites. Think of me in a *scarlet* gown.

FATHER."

On April 10, writing to his wife from the Embassy in London, he says:

"I had a very comfortable journey, and arrived at Charing Cross on the minute, to find Mr. White, Jo, Bayard, Creber & Horsman waiting for me at the station which was of course very pleasant. * * * It is finer here today than any one day at Cannes during my stay there. * * *

"I haven't been here long enough yet to hear any news. Jo was with Mrs. Craigie again at one of her theatre box parties last night and this afternoon he and Bayard have gone somewhere to play golf. White & Bayard took me last night to the Empire to see a variety show which was very good.

"I see by Smalley's letter this morning in *The Times*

that the Senate Foreign Relations Committee has concluded to drop the Hay-Pauncefote Treaty until after election, and so everything valuable has to yield to politics. Don't forget to write me every day, if it be only five lines, to say how Mabel progresses."

To the Same

"Howick, Lesbury, Northumberland.
16 April 1900.

"I was kept so constantly on the run in Edinburgh that I really didn't find time to write and was obliged to finish 'Red Pottage' which I had happened to take up on my first arrival. A strange book for a young girl to write. There was an immoral strain about it I thought, which seemed to leave a bad taste behind. As I found to my surprise that there was no day train to Scotland on Good Friday, I took the Thursday night train up, which gave me just three days in Edinburgh, and every hour was pleasantly spent. Only there is a disposition everywhere to see and exhibit an Ambassador and so I was kept going. Sir William Muir, the head of the College, entertained me most hospitably at Dean Park House, and his daughter, Mrs. Arbuthnot was most charming. She is the sister of Genl. Wauchope's widow, and of course the General's recent and tragic death has subdued the entire household very much. They seem to be as much in the dark as everybody else as to what passed between him and General Methuen just before his last fight. Sir William is a remarkable man, 81 years old this month, and yet he is out every morning on his bicycle at half past seven, then back to his bath and breakfast, and after that on horseback to the University where he is busy all

day. He is an old Indian veteran of the Civil Service, was shut up for five months with his wife and four of his children in Fort Agra during the great Rebellion of 1857, and has survived to write many books about India, Mahomet, the Mamelukes, etc., etc., etc., one of which he has given with an inscription to 'H. E. the Right Honorable *Mrs.* Choate, in token of regret that she could not accompany' etc., etc., etc. He is Principal of the University, and Lord Dufferin the 'Lord Rector' came over from Ireland for the occasion; then we had Lord Leven who is again in Edinburgh getting ready for his brief reign again as Lord High Commissioner next month, and Prof. Masson, the author of the great 'Life of Milton,' came over from his home in the country to spend the Sunday with me. The function at the conferring of the degrees was very orderly and interesting, and I was specially pleased that there were no expectations or call for a 'speech' and no salutations from the boys. I was arrayed in a scarlet robe with blue facings—a black velvet square cap—and when I had been summoned to the platform, before a crowded house, a master of ceremonies related on the part of the Senators all the virtues I had and a great many more, and at the conclusion of the speech at his request the President laid another cap on my head, I kneeling, and pronounced me a Doctor of Laws; then another official in light uniform put the Doctor's Hood, black silk with blue lining, over my head —and having signed the roll of Honorary Graduates, I gave place to the next. This was very interesting, as the lady, Miss Ormerod (pronounced in two syllables *Orme-Rod*) was the first woman on whom the University had ever conferred this degree. She hadn't slept a wink the night before—poor thing—being so nervous in anticipation of the function, but she went through it very

well and was received with great applause, as indeed I was myself, as Edinburgh seems to be very partial to me. Among the graduates of the year who received their first degree in course there were a great many young women, about a fifth part of all I should think, and as each degree was indicated by a different color the scene was quite spirited. In the evening Sir William gave a big dinner to the Honorary Graduates at his house, at which besides those I have already mentioned, there were many other dignitaries of the University. I see that the London papers of today give the substance of the day's doings, but as you will probably want all 'the particulars' I enclose cuttings from today's *Scotsman* which will probably interest you. Miss Ormerod is a very celebrated entomologist and does great service throughout England and Scotland in advising farmers and gardeners how to resist the ravages of the various insects against whom you are constantly waging war, just as the Department of Agriculture does for us in America.

"I quite fell in love with Mrs. Arbuthnot, Sir William's youngest daughter, who lives with him and takes care of him—the mother, Lady Muir, having died three years ago, having celebrated their golden wedding some years before. Mrs. A. married a barrister in London some 20 years older than herself and was left a widow ten years ago with three children. She has a house also at North Berwick which she regards as a summer paradise.

"Sunday is kept very strictly in Edinburgh and a vast deal of church going is done. I heard a young enthusiast, Mr. Black,* who is making a great sensation there. The son of a Rothsay baker he has worked his way by dint of brains at a very early age to the head of one of

* Rev. Hugh Black, well known as a preacher.

the principal churches. A long queue of expectant hearers forms before the church whenever he is to preach to get admission to the free seats, and yet he is not at all a revivalist, so far as I could judge at one hearing. As my departure from the house of the 'principal' on Sunday would have been regarded as Sabbath breaking of the worst kind, I did not leave until this morning, and reached here about noon. Jo has been here since Friday and returns tonight to take charge of the Embassy tomorrow. Bayard writes that he has a cantankerous liver, so I suppose he is not good for much and will be very glad to see Jo.

"This is a most interesting house, having been the home of Earl Grey of the Reform Bill, 1832—the grandfather of the present Earl, and is full of historical reminiscences. Lord and Lady Grey are most agreeable and hospitable. Lord Howick, 20, is at Cambridge, home for the holidays—a part of them only, for he is reading for honors. Lady Victoria, 22, a god-daughter of the Queen, Lady Sybil, 18, and Lady Evelyn, 14, make up the family, and Jo must have found them most delightful. Then there is a Miss Pease, of Alnmouth, not far from here, whose father and mother we met at Fulham last spring when we visited the Bishop.

"I have your two letters of Tuesday and Wednesday last which told good accounts of Mabel and promised still better, for which I was duly thankful. I think I shall go to London on Wednesday—certainly not later than Thursday. In the meantime I expect to receive here at least three or four of your delayed letters, and hope you will receive this long discourse as an equivalent for them all. Would that we might count upon being together in London again very soon. J. H. C."

"It is too late and dark to reread this letter. So you must correct any errors."

The Scotsman, April 16, 1900, said:

"Howick Hall, where the American Ambassador is at present staying, is the beautiful seat of the Earl Greys, one of the notable Northumberland mansions. It occupies a site near the Turris de Howyke, which was one of the fourteenth century castles of Northumbria. In its situation, Howick Hall is matchless, buried in a dene of great natural beauty, and with a prospect seaward towards the blue North Sea. The mansion was built in 1792, from the designs of Mr. Newton of Newcastle. The internal decorations are of classic interest, and the pictures and statuary are of great historical import. Here is a canvas of Dr. Franklin, taken from his house in Philadelphia, during the War of Independence by Major Andre, the 'amiable spy' of Charles Lamb;* another of the Emperor Napoleon, painted during the Hundred Days, the bees on the frame of which were taken from the Emperor's throne. Family heirlooms are notable every-

* This picture of Franklin hangs now in the White House at Washington, bearing this inscription:

BENJAMIN FRANKLIN BY BENJAMIN WILSON
Painted in 1759
Taken from Franklin's house by Major Andre
Carried to England by General Sir Charles Grey and now
returned to the United States by Earl Grey

The letters following tell the story of its transfer.

GOVERNMENT HOUSE
OTTAWA

DEAR DR. WEIR MITCHELL, 17th April, 1906.

I have received a letter from the President telling me that I am most welcome to send you the enclosed copies of the correspondence which has taken place

where. In the library is the gold timepiece given to Mr. Albert Grey by the Queen on the occasion of his marriage. Howick derives much of its present charm from the care and interest bestowed on it by the distinguished earl, who settled here in the early days of the century. Almost every tree he himself planted during his long lifetime, and the flower gardens today are things of beauty. In the family church near at hand a beautiful marble tomb

between him and me with regard to the Franklin portrait, with permission to you to make of them such use as you may see fit.

I remain,

Yours very truly,

Dr. Weir Mitchell. GREY.

GOVERNMENT HOUSE
OTTAWA

MY DEAR MR. PRESIDENT: 7th Feb. 1906.

The fortune of war and the accident of inheritance have made me the owner of the portrait of Franklin, which Major Andre took out of his house in Philadelphia and gave to his Commanding Officer, my great Grandfather, General Sir Charles Grey.

This portrait which Franklin stated was "allowed by those who have seen it to have great merit as a picture in every respect" has for over a century occupied the chief place of honour on the walls of my Northumbrian home. Mr. Choate has suggested to me that the approaching Franklin Bi-Centenary Celebration at Philadelphia on the 20th of April, provides a fitting opportunity for restoring to the American people a picture which they will be glad to recover. I gladly fell in with his suggestion.

In a letter from Franklin written from Philadelphia October 23rd 1788 to Madame Lavoisier, he says: "Our English enemies, when they were in possession of this city and my house made a prisoner of my portrait and carried it off with them."

As your English friend I desire to give my prisoner after a lapse of 130 years, his liberty, and shall be obliged to you if you will name the officer into whose custody you wish me to deliver him. If agreeable to you I should be much pleased if he should find a final resting place in the White House, but I leave this to your judgment.

I remain, with great respect, and in all friendship

Yours truly

To the President. GREY.

Personal

THE WHITE HOUSE
WASHINGTON

MY DEAR LORD GREY, Feb. 12, 1906.

I shall send up an officer to receive that portrait; and I cannot sufficiently thank you for your thoughtful and generous gift. The announcement shall be made by Mr. Choate at the time and place that you suggest. I shall then formally thank you for your great and thoughtful courtesy. Meanwhile let me say

is erected to his memory and that of the countess. A former chaplain of Charles I is said to have been at one time Rector of Howick. We might mention that in the hall of the mansion the fame of the second earl is recalled by the statue of him by Campbell, which was presented to the countess by the friends of the earl on the occasion of his retirement from office in 1834."

privately how much I appreciate not only what you have done, but the spirit in which you have done it and the way in which the manner of doing it adds to the generosity of the gift itself. I shall have placed on the portrait—which shall of course be kept at the White House, as you desire—the circumstances of its taking and return.

With heartiest regard, Sincerely yours, THEODORE ROOSEVELT.

8 East Sixty Third Street,
16th June 1906.

DEAR LORD GREY,

I am sending you direct from Philadelphia a faithful copy (by [William M.] Chase a well known artist approved by the American Philosophical Society) of your portrait of Franklin so generously presented by you to the American Nation, which I beg you to accept as a slight token of my regard and of my thorough appreciation of your most beneficent act. It should reach you by Express in a few days.

Yours most truly
JOSEPH H. CHOATE.

GOVERNMENT HOUSE
OTTAWA

MY DEAR MR. CHOATE, July 3, 06.

Your Franklin is looking at me from over the fireplace in my new room, at present the only picture on its walls, and I cannot tell you how greatly delighted I am with it, portrait, frame and all. I have pasted your letter on the back of the panel. I am not using the language of flattery when I say that I value the picture with which you have so generously presented me, and the circumstances under which I have come into its possession, even more than I valued the original which is to find an honoured place in the White House.

Your picture arrived during my absence and was unpacked by my comptroller. He called in the Howick housemaid to know whether in her opinion it was the original sent here by mistake or the copy, and she swore by all the experience of manifold dustings and sweepings in past years that it was the original on which she had exercised her elbow sufficiently often to know what she was saying.

It is admirably painted. I should like to write a line of thanks to Mr. Chase for having painted a copy which will be a treasured possession in the house of Grey so long as that family may continue. I hope my son's marriage on June 16th with Selborne's daughter may provide the fruitful security of its continuance.

I remain in the hope that you are in your usual vigorous health and youthful vigour and with my kindest regards to Mrs. Choate

Ever yours most truly and gratefully,
GREY.

To His Wife

"Howick.
18 April 1900.

"Yesterday we had a very lively day, driving to Bamburgh Castle—an old Saxon and afterwards Norman stronghold on the shore of the North Sea, some 15 miles away. The whole household went, including another visitor, Miss Willmott, a great enthusiast in gardening. In truth I think she was here to give the Countess lessons in that gentle art, and she is to be Vice-President of the International Congress to be held next July at the Crystal Palace to celebrate the Centennial of the *Sweet pea!* * * *

J. H. C."

"American Embassy, London.
20 April 1900.

"DEAR MABEL:—

" * * * This has been an absolutely perfect day in London—soft, warm and balmy, and every moment out of doors was delightful. I have been three hours this afternoon on the top of an omnibus—various omnibuses in fact—watching the teeming life of this great city. There is nothing like it under the sun and I hope that by and by you will be well enough and strong enough to go about and enjoy such things with me. * * *

PAPA."

To His Wife

"American Embassy, London.
26 April 1900.

" * * * Last night I attended the Lord Mayor's Easter Banquet, and as I was the only Ambassador pres-

ent, I had to speak for the Diplomatic Corps. They all seemed pleased, but as the papers do not make much of this spring occasion there is no very good report of what I said. Perhaps if you read this cutting from *The Standard* and the one I sent Mabel from *The Telegraph* you will have almost all that appeared. * * *

"Dr. T. DeWitt Talmage has just been in. He has been raising money in America for the sufferers, by the Indian famine—a very good thing. * * * "

(April 27.) "There are lots of picture exhibitions about now opening. The Guildhall, the New Gallery, the Royal Water Color already, and next week the Academy, where I see that Sydney Cooper, R. A. is to have *four* pictures hung—all the work of his 97th year, and his critics say that he still paints as well as ever. * * *

J. H. C."

"American Embassy, London.
27 April 1900.

"Dear Mabel.

" * * * I am afraid I should make your mouth water if I told you all we did yesterday afternoon, Suzette & I. We drove down first to the Guildhall and you know how interesting it is to drive through the crowded thoroughfares down town. The City is now having an exhibition of 120 pictures—free for the people—in a building adjoining the Guildhall—Sargent's Miss Astor, Whistler's Carlyle, a splendid group by Abbey, (King Lear and his daughters) and a lovely woman by Herkomer, we thought were the best and all very fine. In fact there was not much else to speak of in the Exhibition except five grossly realistic women clothed only in their hair. Then we went into the Guildhall itself. The room where

the Aldermen sit is very fine—the walls are panelled in old oak, and the arms of each successive Lord Mayor for a hundred years on the panels and the glass. Then the attendants found out who I was and we were ushered into the Hall where the Lord Mayor was holding the Court of the Common Council, another very beautiful room with Gothic arched galleries all around above, which formed excellent frames for the spectators. We of course were taken right by the Lord Mayor's seat, and our entrance was quite an ovation. The Council happened at the moment to be discussing what rate of toll should be levied on American cattle coming into the City, which I suppose comes within their jurisdiction because they have charge of the markets. But they suspended business, rose up, clapping hands and cheering, and the Lord Mayor exclaimed 'Of course you all recognize the American Ambassador.' In truth I think they had almost all been at the Easter Banquet with their wives the night before which perhaps increased their enthusiasm. We sat a while to witness the proceedings and when we went out there was more clapping, so that I had to reappear in front of the curtain which draped the door and make another bow. Finally they lighted the great Hall with electricity for us to see the splendid oak roof which was put on after the great fire in 1666? to replace the roof then burned. The walls were not injured, and date back some centuries before that, I believe. In fact, the G. H. has been the 'City Hall' of the City and of the old guilds ever since it was a city.

"Then we drove down over Tower Bridge and back, which gave us the finest view of the exterior of the Tower, showing the various buildings which go to make it up distinctly, and on the way home inspected All Hallows Church, Barking, the oldest in town I think except the

Chapel St. Peter's ad Vincula in the Tower itself. It wholly escaped the fire and dates back to the 12th century, the Norman style very obvious. There are many wonderful old brasses there, inscriptions and figures on tombs & graves, some of which were mutilated in Cromwell's time & before. Then Suzette left me at Mr. Astor's Embankment house, where he was having a reception (by card) from 4 to 6—a wonderful house with carved wood in imitation or in the style of the old Guild houses—and with the portraits of his ancestors—the 2 John Jacobs and Wm. B. & his own—all very good. But I have come to the end of the paper & my time. They showed us the record of the baptism of William Penn in the register, which also had an entry of the marriage of John Quincy Adams.

PAPA."

To His Wife

"American Embassy, London.
3 May 1900. Thursday.

"We have a real April day today, sunshine and showers alternating every hour.

"The Cuttings have come and the Butlers, but only an hour ago, so that I have not seen them yet. Tomorrow night I have quite a dinner party—Lord and Lady George Hamilton, Mr. and Mrs. Jack Morgan, Lord and Lady Arthur Wellesley, their daughter and her young man, Mr. Robbie James, Mrs. Padelford, and Justine and Bayard—fifteen.

"Tonight I am to dine at the Abbeys' to fulfil an engagement which I suppose she tried to make with you, and as Carl also expects to dine out I have invited Carter and his wife to dine with Suzette and Jo.

" * * * I have been negotiating today with Madame

de Staal and Madame Costaki Anthropoulos Pasha for the discharge of your duties by them at the coming Drawing Rooms, when so many of our fair countrywomen are to be presented. What a pity you can't be here. Now I have got everybody on my back at once and must close this scrawl."

(May 5.) " * * * Yesterday I had a terribly busy day, and as we had a dinner party at night I fear I didn't write you. Finding that we had only fifteen, eight of whom were men, leaving us short of one 'gell' as they call them here, I borrowed Susie Butler for the occasion and that made 16. I took out Lady George Hamilton, Lord Arthur Wellesley, Suzette, Lord George, Lady Arthur, Mr. James, the fiancé of Miss Wellesley, Mrs. Padelford, and the young people were easily disposed of. Jo & I thought it a close question of precedence between Lord George and Lord Arthur—one the son of a Duke by birth, and the other the grandson of a Duke but authorized on the accession of his brother, to take precedence as a Duke's son. Well, how should you have settled that?

"The dinner was quite successful and everybody seemed to think that my grief at your absence and Mabel's might be described as 'mitigated' but we do indeed find it very hard to get along without you. * * *

"Carl and Suzette are doing well, though Carl is too busy and too headachey. Yesterday I got them tickets for the private view at the Academy, and this afternoon before going to the R. A. Dinner, I am going to take them to a musicale at Lady Carew's.

"Americans are beginning to crowd in upon the Embassy. One wants a lunatic sent home—another has lost his passport—another is dying and must have aid, etc., etc., etc. * * *

J. H. C."

(May 6.) "Last night we had the greatest and most tedious function of the year—the Royal Academy Dinner. It took five hours and was duller than usual, but I sat opposite Sargent's great picture of Percy Wyndham's daughters, and it is certainly very fine.

"This afternoon I had a call from Mr. & Mrs. Chapin, and from Mrs. Kinnicutt, who is here for a day or two. She wants Mabel to go back with them in July and stay with them at Lenox. So she seems to have no lack of invitations. What do you and she say to Sadie's invitation to go to Bar Harbor?

"The Countess Hoyos says she ought to go at once to the Swedish quack who is curing everybody. Her daughter has been ill for months and months, and finds no help but from him. I believe he is the same man who recreated Poultney Bigelow. * * *

"I don't know how you will catch on to all this turmoil when you come. People are beginning to hustle very much and you can imagine how helpless I am without you and Mabel. * * *

"I took Suzette through Kensington Palace, but she now says I didn't show her the best thing there—a little house on the grounds built by 'Indigo' Jones."

To His Wife

"Howick, Lesbury, Northumberland.
9 May 1900.

" * * * I arrived here last night in time to inspect Lady Grey's beautiful garden before dinner. She takes an immense interest in it, and certainly is having great success. But the great change in the place since I was here three weeks ago is in the park as you approach the house—where the whole ground is carpeted with nar-

cissus and yellow and red primroses, a sight that I have never seen in America.

"There came up on the same train with me yesterday a very pretty girl, Alice Grenfell from Taplow. We were the first arrivals. Next came the Dartmouths from Patshull. They had left there at eight and took more than twelve hours to come. The morning brought the Pembrokes and Mr. & Mrs. W. Ridley, Jr., and the Duke and Duchess with Col. & Mrs. Egerton have just come at 4½ P. M. It looks now as if we should have a rainy day for the function in Newcastle tomorrow—the opening of a Young Men's Christian Association Building. Then there is to be a luncheon and an inspection of the Armstrong works in the afternoon.

"On Thursday pretty much the whole party returns to London to be in time for Friday's Drawing Room. I see that Countess Deym has returned to London, so I suppose that she instead of Madame Anthropoulos Pasha will present our Americans on Monday. * * *

"We have an invitation for the Derby (the 30th) from 'Ella Burns, Farm Court, Leatherhead' which I suppose is Mrs. Walter Burns.

J. H. C."

To the Same

"American Embassy, London.
11 May 1900.

"As this is Drawing Room day and we lunch at one, we are making everything very short. * * *

"I have a letter from the Vice Chancellor of Cambridge University that they have voted to give me the degree of Doctor of Laws, on the 14th of June. Perhaps you will be able to go there with me."

(May 14.) " * * * The drawing room of Friday was a great success. All our American ladies got through in time to see the Queen, and of course they were all greatly delighted. Suzette with Mabel's train looked very well. When her name was called, the Queen cried out 'Who's that? What name did you say?' Madame de Staal gave out at the last moment and so they were presented by Countess Deym who looked very fine. Mrs. Butler's dress, green velvet, and the Stewart jewels, great emeralds in a necklace, were among the finest there, and Susie was very stunning. Everything went well. The Cuttings—mother & daughter—were much approved, and wouldn't have missed it for anything. Everybody was well tired out as it was a very long function. Countess Deym had to retire half an hour before the close, but no harm seems to have come from it to anybody, though I got a bad cold in driving out to Poultney Bigelow's house-warming in Chelsea afterwards, and stayed at home on Saturday and Sunday, and am all right again. Have been to the Drawing Room today, which was quite another affair—dull and tame—no Queen, no crowd, no enthusiasm, but Mrs. ——, our Major General's wife, attracted great attention by wearing a breast full of decorations which Ponsonby Fane reported to me with great disgust as soon as she arrived, but I couldn't see what I could do about it. * * *

J. H. C."

A London despatch to the New York *Tribune*, dated May 16, says:

"Joseph H. Choate, the United States Ambassador, was the special guest at dinner this evening of the Ancient Company of Fishmongers. The assemblage, which

was very distinguished, included the Chinese, Swiss and Servian Ministers, Sir Thomas Henry Sanderson, Permanent Under Secretary of State for Foreign Affairs, and other Foreign Office officials; the Australian Federation delegates, the Colonial Agents, the Earl of Cork, Lord Denbigh and many members of the House of Commons. Early in his speech Mr. Choate remarked:

" 'Forget your war and internal commotions and look quietly in the faces of the diplomatic representatives of the world, who are bringing you only messages of peace.'

"The applause that greeted this apparent commonplace could only be appreciated by those who knew that the principal topic of conversation had been the cordial reception of the Boer delegates in New York.

"Mr. Choate facetiously referred to the endless disputes over the fisheries questions, remarking that such matters, although vehemently discussed, would not make them enemies. He rather took the audience by surprise when he declared that 'in Westminster Hall and other homes of oratory in England there have been as many noble blows struck and as many pregnant words uttered on behalf of the independence of America as there have been for the integrity of the British Empire.'

"All the members of the United States Embassy were present, and Mr. Choate's reception throughout the evening was enthusiastic.

"Major-General Alfred Edward Turner in a remarkable speech frankly admitted that Great Britain was not able to support an army adequate to her defence, and he said: 'There is a danger nearer home and more immediate than we think.' "

There was a fire at the Embassy on the 8th of June,

and the papers report the Ambassador fighting it in a dressing-gown, but it was soon put out.

On the 9th of June Mr. Choate went to a dinner given at the Savoy Hotel to Sir Henry Irving, celebrating his return to his country from the profitable wilds of the United States. Mr. Choate was a speaker along with the Lord Chief Justice, Sir Henry Irving, Mark Twain, Mr. Pinero, and others. Towards the end of his remarks he said:

"I would like to put Sir Henry 'on the stand' and hear his view as to the relative capacity of these two great peoples for enthusiasm. When I first came to reside among the English people I had supposed from the account they gave of themselves that they were a cold and unimpassioned people, unwilling to give way to their feelings, and that when an occasional ebullition of enthusiasm broke out on one side of the water they said, 'That is quite American, you know,' but that was before certain recent events which have shown them in their true colors—before the relief of Ladysmith and of Mafeking; in other words, before the relief of London. When these wonderful events happened they went as wild as human nature could let them go. Never do I recollect, never have I heard in our history of such a wild outbreak of the human spirit as occurred on those two nights in London. It recalled the enthusiasm on the other side of the water when events made our experiment in self-government a final, an absolute, and a perpetual success."

On the 14th of June he went to the Leys School speech day at Cambridge and distributed the prizes. The discourse that he made there was addressed partly to the

boys and partly to the five hundred guests who were present. About prizes, he expressed his conviction that the boys who got them were those who had determined to have them. It was so, he thought, with the prizes of life. The men who had the will to get them, got them. He said he had known all the leading lawyers in America and many in England for forty years. "No two of them were alike in mental, moral, physical, and natural endowments except in one, and that was an absolute tenacity of purpose, striving like grim death for the object they had before them, ignoring everything but attaining that object by all the honorable means in their power." What prizes were worth the effort to get them, he did not discuss.

At the Fourth of July celebration of the American Society in London, Sir Henry Campbell-Bannerman proposed the health of the American Ambassador, of whom he said that they had learned to appreciate his qualities and that "those who are acquainted with our characteristic self-complacency will understand how superlative a compliment we pay to Mr. Choate when we say we look upon him as one of ourselves."

The Embassy was closed on the Fourth of July, but in the afternoon there was a reception to Americans and others at the Ambassador's residence. The *Mail and Express Bureau*, on July 11, says:

"Of course there was the usual crush at the Fourth of July reception at the American embassy on Wednesday last, when Mr. and Mrs. Choate were 'at home' to the thousand and one loyal children of Columbia who happened to be in London.

"Carlton House Terrace had, in fact, a thoroughly well 'Starred and Striped' atmosphere about it. As one turned round the corner from Pall Mall, or crossed

from the Crimean monument at the bottom of Regent Street into the shadow of the Athenæum Club, one could catch the dazzling flutter of a great Stars and Stripes, almost covering the big balcony over the doorway of Mrs. Mackay's mansion at No. 6 Carlton House Terrace. In fact, so very hospitable did this banner of liberty look to innocent tourists that the silver queen's front door was besieged during the afternoon by crowds, who, thinking it the home of their Ambassador, demanded admittance.

"The polite and magnificent flunkeys had all their time cut out in answering their demands for admittance by 'No, madam, further on, at No. 1, is the residence of his excellency the American Ambassador.' There also did the Stars and Stripes make a brave showing, both outside and inside the house, and Mr. and Mrs. Choate stood patiently and apparently contentedly at the top of the great stairway from three oclock until well past six, welcoming the advancing and ever-increasing army."

The Sun of this date (July 4) deprecated in an editorial the practice that had grown up since many years of sending diplomatic representatives to England to talk. *The Sun* thought that "an Ambassador should speak but seldom, and he is always safe if he confines himself to the commonplace." It went on to say: "The continual celebration by the American Ambassador of the good relations between England and the United States tends to give foreign nations an incorrect notion of the facts. There is no special friendliness between these countries. Interest is the only real tie between nations, and that is liable to vary."

But it does not appear that this opinion had much influence at the time, or has had much since.

At the dinner given in the Middle Temple Hall by members of the Bench and Bar of England to meet the representatives of the Bench and Bar of the United States, the Lord Chancellor presided, with the American Ambassador on his right, and there was much talk by lawyers, including Mr. Depew.

A livelier occasion was the Albrighton Puppy Show at the Kennels at Whiston Cross, on July 28, which might have come bodily out of one of Trollope's novels, where the talk was all of hunting. There was a big luncheon served in a marquee, and after that there came the exercises, including the presentation to the late Master of Hounds of a portrait of himself. Mr. Choate was one of the talkers and fell in very heartily with the spirit of the occasion.

Early in August Mrs. Choate and her daughter went to St. Moritz, Switzerland, and there are letters again to her, but first one to his brother William:

"Sunday 5 August 1900
Wilton Park, Beaconsfield.

"DEAR WILLIAM:

"I am very sorry that you and Mary did not conclude to cross the ocean this summer, as we had fondly hoped and rather expected you would. Even if you had only taken time for a short stay in London, you would have found it most agreeable, and I could have done something to advance your pleasure, now that I know so many of the sort of people whom you would be glad to meet.

"I find the judges and lawyers most satisfactory acquaintances, although they have far less to do with public questions and affairs than the profession is accustomed to in America. Of the nineteen members of the present

government only two, the Lord Chancellor and Lord James of Hereford, were bred to the bar. In fact the study of the law instead of being, as with us, almost the only avenue to public office and affairs, seems here to be regarded as not only unnecessary for that purpose, but as a positive hindrance.

"Young men start fresh from the University into preparation for public life, and enter at once upon a lifelong career of that sort. There being an immense leisure class here, who have never to think of earning their livings, but have a great and well sustained ambition to serve the country in one way or another, the system works wonderfully well, and not only the military, but the civil service is of a very high order indeed. Nobody is admitted into the lowest branch of this service until he has proved himself qualified upon strict examination, and, once in, there is rarely any advancement except for merit and fitness. Corruption is practically unknown and patronage plays but a very small part,—so that the inducement to young men of merit to enter the public service is very constant and great. They have much to learn from us in many ways and we no less to learn from them.

"I wish you could have been at the Lawyers' Dinner in the Middle Temple Hall on the 27th of July. The cream of the English Bench and Bar were there, Lord Russell only excepted, who was kept at home by illness. It was intended by them as a recognition and return of the great hospitality which many of them have received in America. Although our side was very respectably represented indeed, we did not come quite up to their mark, as we had not a single Federal Judge, and the Bench was spoken for by your friend Simeon E. Baldwin of the Court of Errors of Conn., and the Bar by young Mr. Beck, who has just

been appointed Assistant U. S. Attorney General, both of whom acquitted themselves very finely indeed.

"I find the post of Ambassador a very pleasant one, but there isn't work enough in it to satisfy the cravings of one who has practiced law for forty years in America. There are a great many functions and a plenty of social duties, and I often find myself yearning for a good old-fashioned contest in Court. Then an Ambassador is practically tongue-tied, and can never speak his mind. I must say, however, that the question now up about China, both in our relations to that great relic of barbarism and to all the nations of Europe, is most intensely interesting, and gives ample room for thought. I fear that we have only seen the beginning of a very fearful business.

"Everybody here is most cordial not only to me, but to all Americans, and I suppose that no former representative of the United States has been surrounded by so pleasant an atmosphere.

"Our family life here has been sadly marred by Mabel's illness,—so that for four months since this year began we have had to do without her (six months without Mabel) and her mother, and now, on Thursday last, they started off again for St. Moritz and will hardly return I fear until October. But Mabel, I am delighted to say, is already very much better, and I have every reason to hope and believe that in the Fall when she returns she will be as well as ever. She has never been alarmingly ill, but had a bad nervous breakdown, from which it takes a long time and very careful treatment of herself to recover. She takes it very bravely—was in capital spirits when she left for the Continent and is evidently gaining all the time. She has a fixed idea, however, that the climate of England

doesn't suit her, but I hope that will pass away as soon as she finds herself perfectly well again. She hasn't begun to bulge yet, but I fancy she will very soon. At Wimbledon she had a very quiet but most enjoyable summer, and has infinite faith in the high air of Switzerland as a panacea.

"Jo has pretty much made up his mind to come home next February, gather up the threads of his interrupted 'second year' at the Law School, finish his course there to a degree, and then as quickly as possible get into the law in New York. He has had a grand opportunity here and had an experience that he will never forget, which in all probability will enrich his whole after life. He is still only 24 and I want him to get started in the profession and in life while I can perhaps be of some service to him. I hope too that he will have an ambition for public life in which I think there is soon to be a much better chance and opening for young men in America than there has been in the past.

"I note the approach of your 70th birthday and am glad to hear that you are turning that somewhat startling goal in fine health and condition. But don't keep your nose down at the grindstone too long! You're entitled to good, long holidays now, and plenty of them, and I can see no object to be gained by slaving away much longer. I am much delighted to have broken out of harness when I did. I seem to be in the best of health, have 'put on' a stone here in England, and feel the full benefit of our Hodges constitution which certainly was the saving of the Choates,—or at least of our branch of them.

"The death of Jo. Sprague was somewhat startling. I had hoped in the evening of life to see something of him again, but he has vanished. If I recollect right, he has

exactly repeated his father's experience, lived just as long and died in just the same way. I thought that long-lived strain of the Bartletts would have extended his thread of life.

"The new Quinquennial of Harvard has just come to me. I see that we are now within 250 of the goal of my ambition, the post of oldest surviving graduate, and they will get out of our way very rapidly—but with 39 men starting now in their 70th year on the average, we shall ourselves make more rapid progress than we have hitherto.

"I am spending Sunday and Monday, the bank holiday, with Mr. White, 1st Secretary of the Embassy. You may remember him and his wife, who was a daughter of our old friend Lewis M. Rutherford, who in my young days in the Century, from '58 to '70 or thereabouts, was a regular habitué there.

"Give my best love to Mary and do write and tell me how things go with you.

Ever your loving brother,

J. H. C.

"P. S.

"Our Secretary of State is winning all sorts of laurels here now. He seems to have stood alone in the faith that the Legations were safe, and shows the immense power of a buoyant and hopeful temperament."

To His Wife

"Wilton Park, Beaconsfield.
Sunday, 5 Augt. 1900.

" * * * Yesterday we had the function of the funeral service at the Chapel Royal for Duke Alfred. The company was very distinguished, including the Princess of

Wales, the Duchess of Argyle and York, and many minor Royalties, domestic and foreign, all the great men of the Kingdom, and the heads of all foreign missions. * * *

"Everybody here except Muriel and myself played bridge last night, in fact till 20 minutes of one this morning. It seems just now to exclude all other evening occupations, and whoever doesn't understand and play the game, is 'not in it.' They all seem to be taking lessons of my old friend Miss Clapp, of Pittsfield, who started whist teaching in America and who is now the rage for bridge in London. The Carters and Bayard are very deep in it.

"Mr. White reports you and Mabel as 'both splendid' and 'not tired at all,' so I hope to hear the best reports of your progress to the end.

"The Shah is not coming and the lunch at Hatfield has been countermanded.

J. H. C."

To the Same

"1, Carlton House Terrace, S. W.
Monday, 7 August 1900.

"I returned from Mr. White's this morning, having spent two solid days of rain at Wilton Park. But the house party was very pleasant, and we talked and read, and, will you believe it, played bridge! Having had no experience of the game before, I did not cut any great figure. * * *

"There is nothing authentic today from China, although a rumor by way of Washington that the allies in a reconnaissance in force have had a hard fight about 8 miles from Tientsin, and lost 1200 killed and wounded,

but the Chinese retreated. I fear they will find it a hard journey to Pekin.

"Parliament adjourns tomorrow and Lord Salisbury expects to go next week to some German bath to recruit. Arthur Balfour seems to get angry in the House every day, from which I infer that he is very tired. * * *

J. H. C."

(August 13.) " * * * I was much interested in the contents of Cordelia's letter which you wrote me. * * *

"I was not at all surprised by what her friend's friend wrote about you. Only I do not see why any one who knew you should have doubted your success in London. If we could only avoid these long breakups you would certainly carry all before you. There are no women like American women to adapt themselves to new circumstances and you have done it admirably and nobly.

"Lord Russell's* death was a very great shock to us all. I suppose they felt certain that if let alone he would certainly die and so they performed the fatal operation. He was the most *live* man that I have met in England, and I shall miss him very much. * * * "

(August 14.) " * * * Yesterday afternoon I spent at Kew Gardens with Mr. Francis Rawle, who was or seemed to be very much pleased. This morning he and Mr. White breakfasted with me *at 8*, and we drove together to the Brompton Oratory to attend the Requiem Mass for the soul of the Lord Chief Justice. I tried to extract some meaning from some part of the service but failed utterly. No wonder the English people so long ago made up their minds to have done with it. The papers

* Charles Russell, C. J.

already begin to talk of his successor. The prize—and it is a very great one—seems to lie between the Master of the Rolls, Sir Robert Finlay (The Attorney General) and Sir Edward Clarke.

"Tomorrow we are to take a day off and visit Admiral Watson on the U. S. Cruiser *Baltimore* at Gravesend. * * *

"I have actually cleared up my table and not a loose paper left on it. Dr. Jacobi is here. I did not know before that Dr. J. was a Prussian Revolutionist of 1848, and escaped after several years in the State Prison. Did you?"

(August 16.) " * * * There is a *Journal* report from New York this afternoon that the Allies have entered Pekin but nobody seems to believe it, although for some days now it has looked as if it might come true any day, and certainly it is high time that this fearful suspense were ended.

"We had quite an excursion yesterday to visit the *Baltimore* at Gravesend, where Admiral Watson entertained us in fine fashion, and at our departure fired an Ambassador's salute of nineteen guns.

"You will find Major & Mrs. Cassatt a decided acquisition to the Embassy—most presentable in every way, and well disposed to make themselves useful and agreeable. * * *

"Last evening as I was driving through the Park with Mr. Carter and Major Cassatt we met with quite a tragic incident. We passed where a lady had just been thrown from her horse and frightfully injured. The police were just carrying her off to the Hospital, without the least idea who she was, but Mr. Cassatt searched her riding

habit which they had taken off, and found her card—a Miss Page of 43 Trejunter Road, so we drove there, informed the family, took in her two sisters and left them at the Hospital just as the Doctors had examined the wounded one and moved her into the ward. It proved to be a terrible case—one eye destroyed, the cheekbone broken and a severe concussion of the brain. When her brother called this morning to thank me, she had not recovered consciousness, but for all that the Doctors thought she would recover. * * *

"You ask about Col. Hay. I don't think his sickness amounts to anything. He doesn't stand badgering and baiting quite as well as President McKinley does, and no doubt the vast amount of abuse he is getting from the Democrats worries him more than it ought. I think he's 'all right.' * * * "

"American Embassy, London.
18 August 1900.

"DEAR MABEL:—

"You have no idea how dead London is getting to be. At the house we are reduced to our lowest terms. Ralph has gone to her home, Creber to his, Charles is off with Jo who gives no sign except to send a box of game from Glen Urquhart, Henry has left, and not a sound is heard below stairs. I take my lunch and dinner at the Clubs and am only at home early in the morning and late at night. So it is at the office—an occasional Christian Endeavourer stranded, and now and then an American traveler to say 'How d'y do?' are all that we have in the place of the crowds of June & July. Do you know the ——s of 5th Avenue, New York? They called yesterday and were a queer couple. She seemed to be double

his age, and did the talking—a good deal of idle talk it was—and when she got up to go she said 'I had a dream about you seven years ago, and have wanted to see you ever since, and now I am satisfied.' I tried to get her to tell me her dream but she could only do that sometime 'when we were alone.'

"My dinner at the Carlton Hotel went off very well. Mr. & Mrs. Smith though not quite fresh from 47th St. had more or less to tell about New York politics and business. * * *

"Mrs. Smith rather takes my view of that marriage of Miss —— as a failure—calls it a Platonic arrangement—a drawback too, because the nice people who used to invite her out to dinner now invite her with her husband and as he is always away she has to decline for both and so gets no dinner. * * *

"I have just heard from the Foreign Office that they have authentic news from Pekin that the Allies entered there on the 15th. * * *

PAPA."

To the Same

"American Embassy, London.
21 August 1900.

" * * * Yesterday I saw Prescott Butler and his entire family who sail tomorrow on the *Oceanic*. Mr. White and I called on them and they were all out but Prescott who had been ill in bed for a week with lumbago, while in Amsterdam, and looked quite pulled down. So I took him out for an airing, to High Gate and Hampstead Heath which seemed to interest him very much. Then in the evening I dined with them and today (if

it does not rain) I am going to drive them out to the Star & Garter at Richmond. Mrs. Butler was very funny, as usual. * * *

"Bainbridge Colby has just called. * * * He says that Ellery Sedgwick has moved to New York and taken editorial charge of Frank Leslie's weekly paper. There is a nominal Editor in Chief but Ellery does the work and gets a good salary. Ellery's mother has been quite ill, * * * but Mr. Sedgwick still defies all the laws and goes on eating lobster and washing it down with punch, and is very well and jolly. Mr. McKim who is 'shooting' with Schuyler, Cadwalader & Co. in Scotland writes to Mr. White that Mr. Carter at the age of 73 tramps all day over the moors after grouse without fatigue, while he himself was tired out—but two years ago Carter did the same thing and overdid it, having a bad winter afterwards.

"Now I have told you all the news I have, so goodbye.

PAPA."

To His Wife

"American Embassy, London.
22 August 1900.

"I enclose a letter from Lady Kay-Shuttleworth which explains itself. I am going there on my way home from Edinburgh, to a presentation of prizes, and I do hope that you will be able to go along as they are very nice people. I hope to get away from here so as to join you at St. Moritz about the end of the first week of September, and in the meantime expect to go to Col. Barnardiston's in Sudbury near Groton which he thinks is the cradle of the Choates, and also to Lincoln and for a short

visit to the Batterseas at Cromer, said to be a most delightful part of England.

"Be sure to write me what to wear for September in the Engadine. I shall count the days till I can be with you again."

(August 27.) "I got back this morning from the Rye's, Sudbury, where I went to visit Col. Barnardiston. Lady Florence, his wife, is a sister of the late Lord Dartmouth, and of course an Aunt of the present Earl. They have eleven children, five sons and six daughters, of whom the oldest son only is married, and by him they have only one grandchild (a harder case even than mine). The son married a Miss Floyd-Jones of South Oyster Bay and I am sure that you would like her. They live in the midst of a lot of interesting old English Churches, which we visited in long excursions, and one old English House (Melford Hall) of which I sent you a photograph direct from the store where I bought it. The churches we visited were at Levenham, Melford, Bury St. Edmunds and Groton and Boxford,—all very ancient and fascinating. At Groton I saw the Church Register with the entry of the baptism of our supposed original progenitor 'John Choate, June 24th, 1624' and there are many circumstances that point to his being the man, but I don't feel quite sure.

"Bury St. Edmunds is the seat of the famous Monastery of St. Edmund, at whose altar the Barons assembled and registered their vow to extort from King John the signing of Magna Charta. * * *

"I expect to go to Lincoln tomorrow afternoon, then to Peterborough and Ely, a sort of Cathedral tour, and to bring up at Lady Battersea's in Cromer on Friday.

"The news from China is still very muddy. There seems to be nobody at Peking for the Allies either to fight or negotiate with."

(August 28.) " * * * I am now getting quite in the notion of going to Oberammergau on my way to you. I find that there are performances of the Passion play on the 8th & 9th, & that it is 40 miles by rail from Munich. * * * If you were along I should have no hesitation about it, but it would be a 2 or 3 days journey from where you are to get there, which doubtless you would hardly think worth while. This play I believe is only performed once in ten years, and Lord & Lady Halifax whom I met on Sunday, gave me a very different idea of it from any I had before. They had just returned from there.

"This morning I gave the order to the Eagle Range Company to put into our house, or rather Lord Curzon's, one of their best Eagle ranges, 6 ft. 6, according to the estimates they gave you last Spring. Coal is still going up and even at the present rates we shall save a good part of the prime cost in a single winter, and stop a shocking waste. * * * "

To the Same

"Lamb Hotel, Ely.
31 August 1900.

"I'm very sorry not to have written you since I left London on Tuesday, but you know how it is yourself in travelling and sight-seeing. Every moment seems taken up until you have to go to bed.

"I have abandoned the idea of going to Oberammergau. As the play lasts till the end of September perhaps you and I, if you very much desire it, can go there then. * * *

"These cathedrals are very absorbing and delightful though none of them equal in grandeur York Minster which you have seen, although, as I think, with the restrictions of visiting, we didn't see half enough of it. * * *

"The cathedral bells are ringing for the morning service which is the best time to get the effect of the whole."

"The Pleasaunce, Overstrand, Cromer.
Sunday, 2 Sept. 1900.

"DEAR MABEL.

" * * * Here I am on the sea shore, on the northern coast of Norfolk, and the Batterseas have a most charming house, as you might suppose, full of beautiful things, each perfect in its kind. Paintings, water colors, engravings, photographs, a library of 5,000 books, many of them in the finest bindings, and a wonderful garden, where, although on the sea shore and exposed to the most bleak winds, yet the air is so soft that everything flourishes with the greatest luxuriance. I was mortified to think of our own poor orchard in Stockbridge—to see dwarf apple trees set out only last year, already bearing big apples. Climate is everything. * * *

"As I write, in a huge room beautifully equipped (occupied by the Princess Louise last week) I am looking out upon the North Sea, and see the ships go sailing by, and men, women and children wandering about the beach. Right before me overhanging the beach is the cliff which serves as a promenade for the whole neighborhood. I am quite sure you would like it.

"I enclose George's last letter. He was so much pleased with a postal you sent him. You must send him one every little while.

PAPA."

To His Wife

"The Pleasaunce, Overstrand, Cromer.
Monday, 3 Sept. 1900.

"My brief but somewhat frantic efforts for the Passion play on the 9th have ended in nothing. Cook reported today that no room whatever could be had at Oberammergau at that time, and that our only way would be to go by train Sunday morning from Munich to O., see the play and return the same day, 4 hours in the cars *each* way, to which I said no and immediately telegraphed you an hour ago 'could get no rooms and should start for St. Moritz on Friday morning.' * * * Then we have had that charming young Lady Dorothy Nevill, who started out with us for a walk yesterday afternoon and returned because the wind was disarranging her '*hair.*' [She was then 74.]

"To think that I shall actually be with you at the end of the week.

J. H. C."

To the Same

"American Embassy, London.
5 Septr. 1900.

" * * * I am in a terrible hurry to get to you & Mabel.

J. H. C."

"Hotel Victoria, Menaggio,
Lac de Como, 27 Sept. 1900.

"DEAR JO:—

" * * * As I expected when I left, nothing of importance seems to have happened in my absence. Any-

body who expects any particular progress to be made in this China business in any particular time is bound to be mistaken. Too many cooks may not spoil this broth but they will give it plenty of time to cool. I have not seen or heard anything yet which commits our government to a wholly separate settlement on the points which concern all the powers alike. Has any such thing come from Washington? I am too far out of the world to know much that is going on. The papers when we get them are always two days old and sometimes three.

* * *

FATHER."

To His Wife

"American Embassy, London.
5 Octr. 1900.

"Badly as I felt when I saw you and Mabel disappearing in the distance under your umbrellas, as soon as I struck the cooler atmosphere of Lake Lucerne, with its blue water and bluer sky, it operated like a powerful tonic and made a new man of me. Really there was something very lowering in the air of Lake Como, and if Mabel suffers from it in any way I should not hesitate to move right up to Switzerland, where you will be sure of a better state of things. And then London is simply *perfect*—cool, clear, bright and bracing. Nobody could help being well here just now.

"On the night train I got along very well, only the narrow and confined cabins are altogether too close. But in the morning the porter brought me a very nice breakfast—coffee, French bread and actually fresh eggs, laid by a French hen, not an Italian. Our passage across the Channel was a little rough. In fact it was a regular

game of *bowls* all the way, and as every spot on deck was occupied I stayed in my cabin all the way across, reading the English newspapers. Creber, Horsman from the house, and White, Cutting and Hodson from the Embassy met me at the station and I was much delighted to find myself in London again—only they had a hot fire to welcome me in the library; but cheerful lights, welcoming books, running water and one's own comfortable bed, after those fearful narrow cribs on which we have been sleeping for the last four weeks were a great comfort and delight. On the boat at Lugano I was accosted by Mr. Haynes, who said he knew me by my pictures. It was he who married Miss Law, and on her death inherited the villa above Cadenabbia of which you spoke. He said it was full of the rarest curios which she had spent her life in collecting. He was most kind and assisted me very much, being familiar with the road over which he had passed many times, especially at Bâle, where there were many complicated things to be done. First, we had to put all our hand luggage together in the waiting room under the charge of his maid, while we went into a building across the street to the Wagon-Lit office and secured my sleeping berth; then back to the station to entrust our large baggage receipts to a porter who disappeared with them in the night. After a ¼ hour's waiting he came again but without the trunks and took us to a solitary room in a distant part of the building, where we found them in charge of a Customs officer (Swiss) who, on production of my card, chalked them and delivered them to the porter, who shouldered them off to the weighing room, where they had to be weighed. Then the tickets to London had to be taken to another office & stamped. I could hardly have done

it without Mr. Haynes who had been through it many times before and was most patient. I don't think you could do it even with Lydie, but as you are going to stop over at Bâle you will have no trouble. You had better let me arrange from here about your passage home when the time comes. You will be saved some trouble and some extras.

"Lord & Lady Rayleigh came all the way from Lugano to Bâle, a most gorgeous scenery all the way. We dined together and they were very pleasant.

"The elections seem to be going as we thought, very strongly in support of the Government. * * * "

"American Embassy, London.
6 October 1900.

"Dear Mabel.

" * * * Yesterday I took the carriage and made up a lot of calls especially to enquire after our sick friends. The Bishop of London seems to have had an experience not unlike your own. Mrs. Creighton who was as sound as ever, said that he had been behaving very badly. Right in the midst of their vacation—in the Tyrol I believe—he broke right down. She thought he hadn't been well for some time, but there his digestion gave out entirely and she had to bring him right home to Fulham. He failed at his weakest point. I told her I had thought last winter that he couldn't keep on at that pace. Well, the Doctor got hold of him and put him on a strictly meat diet, and prescribed 2 months rest from everything but the actual business of the diocese, and he is doing very well, though Mrs. Creighton confessed that she was acting the part of a dragon over him and not letting anybody see him, but letting him read novels, etc., etc.

The business of the diocese is considerable for he was holding an ordination, and the Hall of Fulham Palace was lined with anxious looking young men, who I suppose were waiting to hear their fate. The butler told me that they entertained 20 of them over night. * * *

FATHER."

"American Embassy, London.
Monday, 8 Oct. 1900.

"DEAR MABEL:—

"I enclose a letter for you from the Hotel Metropole, Folkestone—also, the only piece of Italian paper which I had left, 5 lire.

"By the way, will you go *the next time you go out* to that little store where we bought the stamps and pay the man that .75¾ of a lira which he overpaid me in making change. I meant to have done this before I left and it has been on my conscience ever since. It's a small thing to us, but no doubt of great importance to him. * * *

"Mama's friend, Mrs. —— of the —— is coming to see me to-morrow before sailing for America. Some people left their cards at the house on Saturday with a card from —— that they were her dearest friends. What shall I do with them? * * *

PAPA."

To His Wife

"American Embassy, London.
Tuesday, 9 Oct. 1900.

" * * * I have a note from Lord James of Hereford this morning inviting you and me to go to them in the country on the 21st which I shall probably accept. The Halsburys are to be there.

"I caught a glimpse of the Bishop of London yesterday driving in an open carriage, very much muffled up although the day was warm, and looking very serious.

"Bayard seems destined to adventure. Yesterday afternoon when he went home to his rooms, he found a great crowd surrounding the house, and blocking up the stair-way. A burglar had been sacking his rooms, turning everything inside out, and pocketing all his jewelry—had been overtaken by his valet and landlady, and had finally taken refuge in the attic, at which point the police, who had been loudly called, arrived and captured him after the landlady had driven him downstairs. This morning Bayard and Hodson are following him up at Court.

"Nothing new about China."

(October 10.) "There is nothing new about China. Today the Dowager Empress is reported seriously ill. If she would die it would help the situation amazingly.

"If I weren't so busy I should be quite lonesome.

J. H. C."

"American Embassy, London.
12 Octr. 1900.

"DEAR MABEL:—

"I enclose two or three things that have come, but I doubt if they are of much account. I spend most of the time these few days at the house, at work on my address for Edinburgh which I must finish by Sunday night, as it's very irksome to have such a thing hanging over one, and then the more I work upon it the more interested I get. But these days are quite too fine to spend in doors.

* * *

"Nothing new about China, except that the French note seems to suit everybody but our people, whose views upon it you will see in today's papers.

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
Monday evening, October 1900.

"I hope you are all right by this time, but do not feel sure, as letters from Mabel and Mrs. Hardcastle written on Saturday indicate that you are still in the Doctor's hands. I am very sorry indeed about this and don't want you to come back to London until you have regained all the pounds you have lost. How came you to do so? I suppose it must have come from the strange fancy that all women have of taking meals out of doors.

"I have just returned from Lord James's. * * * My visit to Lord James was most pleasant. The Halsburys were there and full of kind inquiries about you. I didn't tell them anything about your having been unwell, but I boasted greatly on Mabel, and jeered at them for not having gone to Promontogno. Winston Churchill went up and returned with us—talked all the time and was most amusing. He is brimming over with the enthusiasm of youth, knows it all on every subject, and seemed to think his opinion entitled to weight as against us all. But he was great fun. The Cuttings and the Grews and the Holmeses all sail on Wednesday, and I went to bid them good bye this afternoon.

"Did I tell you that Bayard's burglar got six months at hard labor? I thought it a ridiculously light sentence. * * * "

To the Same

(October 15.) "Tomorrow is our wedding day and I wish we could then repair unto the Bell at Edmonton all in a chaise and pair, but as that cannot be I can only thank you for the 39th or 3900th time for the day, and hope we may have many returns of it and sometimes be together again. * * *

"I can't get on with that address. There is nothing so hard as to sit down in cold blood and get up such a thing before it is absolutely necessary, but I do want to get it out of the way. Perhaps as Mabel has been reading up about Lincoln she can give me some ideas, but the great difficulty is what *not* to say.

"You have all been invited to the American Society's Thanksgiving Dinner for Nov. 29th and are requested to make a note of it."

(October 16.) "Do you remember all about this day 39 years ago, and all the particulars? Certainly it took a great deal of courage on your part to embark on such an enterprise with an unknown man! Well, in spite of all our sorrows and trials, the balance has been in our favor. We have had a most happy life and have a vast deal to be thankful for, and now that Mabel is all right again we may look forward with hope to the end. I only wish you were here, and trust that all the returns of this, our great anniversary, we may spend together. * * *

"My little dinner last night was quite a success, although there were but four of us.—Mr. Coolidge, Mr. & Mrs. Newbold and myself, the young lady being confined to her bed with a bad cold. They seemed to like being invited and to enjoy their dinner, which was a

very good one, and having been in the diplomatic line themselves, they were full of curiosity and interest. * * *

"Most of today I have given to Sir Henry Irving's matinee for the relief of the Galveston sufferers. Drury Lane Theatre was packed from floor to ceiling and the programme was four hours long, *three* of which I endured and enjoyed. I had taken four tickets, one for each member of my family, but as none of them appeared likely to go, I invited Mr. Coolidge and his two granddaughters. * * * The performances were very good, but I quite agree with Mrs. Delafield that 2 hours are enough for any entertainment. * * *

J. H. C."

(October 18.) "I didn't write to you yesterday because I was bound to finish my Edinburgh address and devoted every minute to that. Fortunately it is finished and will trouble me no more.

"I sent my check yesterday for £50 to Sir Henry Irving to add to his Galveston Fund which I was glad to hear from him would reach about £1300, a very generous thing for those actors & actresses to do. * * *

"I wish you were here to go to the James's with me tomorrow. For the next Sunday I have another very nice invitation from Lady George Hamilton to go to them at Deal Castle which I am accepting. * * *

"The new range works very satisfactorily, and seems to do all sorts of cooking very well. Creber says it hardly burns 1/10 as much coal as the old plan.

"Mr. Bryan seems to be making a great noise and stir in New York, but there isn't the least symptom that he is making any impression on the voters, so I look upon the election as being practically settled already. * * * "

"American Embassy, London.
23 October 1900.

"DEAR MABEL:—

" * * * I have just been to the Grosvenor-Bell wedding at a queer church in Duke St., Grosvenor Square. There was quite a large company of Anglo Americans, and after the wedding we had to adjourn to Mr. Bell's quarters at the Alexander Palace Hotel, where there was a sumptuous breakfast followed by many dullest speeches of which one was made of course by the Ambassador. * * *

"You should have seen Major in the Park this morning. He was all 'in the air' and as we went by Wellington Barracks and the band discoursed eloquent music, he discoursed eloquently too.

"Thursday I am to dine with the Maudslays and on Friday go to the Lord George Hamiltons' at Deal Castle. The Anglo-British agreement about China seems to suit everybody, except that our people want to know what the third section means, but this is between ourselves."

To His Wife

"American Embassy, London.
24 October 1900.

" * * * Today I have had charge of Senator Manderson and his wife, of Nebraska. He did me a good turn by preparing and delivering an address in my place before the American Bar Association when I came away, and so I wanted to do what I could for them. I took him to the Lord Chancellor's lunch to the Judges and Queen's Counsel in the House of Lords, and then we picked up Mrs. M. at the Metropole and went to the

Law Courts to see the procession, same that we saw last year, and after that to hear the remarks on Lord Russell by the Lord Chancellor and the Attorney General, all of which pleased him exceedingly. The new Lord Chief Justice looked splendidly on his first appearance in his new robes, and he got a great deal of applause. We were in the same gallery as last year. There I saw Lady Barnes quite recovered, and that dear old soul Lady Matthew, the wife of Mr. Justice Matthew, with whom we dined last year. They all ask for you and I tell them you are *very well*, taking no note of your late set back.

"All London is looking forward to Saturday—the reception of the C. I. V's. Windows to see the procession are selling at fabulous prices. * * * "

(October 27.) " * * * I found Lady Halsbury with a very bad cold last night. She had been in bed two days and looked not quite at her best, but was in good spirits and planning today to see the procession. Of course I played bridge with the Ld. Ch. and won 1s. 6d."

(October 29.) " * * * I wish you could have seen the crowd today that welcomed the C. I. V's home from the war. I have seen no such masses of people since that April morning when we looked down on that crowd in Wall St. that was called out by the news of Lincoln's assassination. I stood on the upper balcony of the Athenaeum Club, and as far as you see the crowd was solid. It was with the greatest difficulty that mounted soldiers could open a way for the little band of heroes. —Fourteen hundred, marching four abreast, dressed in khaki, worming their way through the black crowd—they were cheered at every point, but the greatest enthu-

siasm was reserved for the wounded and invalids who brought up the rear in carriages. All other parts of London seemed to be deserted for the line of procession from Paddington to the Mansion House. * * * "

(October 30.) " * * * Lady George Hamilton was full of inquiries about you and hopes that when I next come to Deal, you will come too. Deal Castle is a delightful old place, the simplest in the world, but a veritable medieval affair with a moat all about it, portcullis gate & big guns, and Lord George is Captain for life, as Lord Salisbury is of Walmer Castle, 1½ miles away."

(October 31.) " * * * The announcement has just come out that Lord Salisbury retires from the Foreign Office to remain Premier only and that Lord Lansdowne takes his place as Secretary for Foreign Affairs. I am very sorry to lose Lord Salisbury for he is a most pleasant man to do business with, and was always just & fair and well disposed to us. Of course Lord Lansdowne will also be a good man to deal with.

"You ask who Lady Joan Verney is. She is the elder daughter of Lord & Lady Desart, and a most charming little body. Her husband is in the foreign office. I suppose this change will greatly relieve the pressure on Lord Salisbury and give him time to look after all the departments. * * * "

(November 1.) " * * * Our dinner party last night went off in good style—even Jo ejaculated to that effect. The Desarts are daisies all of them. The Halsburys you know all about. The Lord Chancellor was jolly, and after dinner he and Ld. Desart and Lady Evelyn and I

played bridge down stairs—a drawn game, as we hadn't time for a rubber, and Jo entertained the rest up stairs at the piano. Jim Barnes was a pleasing feature of the occasion.

"Today I had to go to another funeral service—that of the Prince Christian Victor at the Chapel Royal. I am sure this is a terrible blow to his mother.

"Next Wednesday I have to give away an American bride, Miss Carr, to the Earl of Newborough and to go to the Lord Mayor's dinner on the 9th.

"No doubt we shall get the news of McKinley's election on Wednesday afternoon. They seem to be getting unpleasantly rowdy in New York, but happily it will soon be all over.

"The funeral I went to last week was that of Sir Roderick Cameron, at the request of Madame Waddington, who was in some way connected."

"American Embassy, London.
5 November 1900.

"DEAR MABEL:—

"I have sent you by mail today a proof of my Edinburgh address, which as you cannot hear it, no doubt you and Mama will be interested to read in advance. I marked it 'private and confidential' that it should not go any further—or out of your hands. It has cost me lots of trouble and I hope the Scotsmen will like it.

"Well, the campaign in America is over, and now comes the election, which I am sure is coming out all right. I see that Roosevelt made nearly 500 speeches and stood bareheaded in the rain on Saturday, 7 hours, reviewing the procession—against his doctor's protest and is now ill in bed. It would not be wonderful if with

such a helter-skelter mode of life he should come to grief.

"I am going to take Mr. Carter home to lunch with me to take care of Esther Hunt, and of course he has had to rush off and 'get shaved' as Bayard always has to. Why these young men who have nothing to do don't shave in the morning when they get up I don't see. * * * "

To the Same

"American Embassy, London.
Tuesday noon, Nov. 6.

" * * * I have just had a call from Miss Grace Carr whom I have to give away tomorrow at the Hotel Savoy to Lord Newborough. Isn't it funny what queer functions I have to perform? * * *

"Tomorrow afternoon no doubt we shall hear from the Election and when the decisive news comes I will try to send you a telegram, but it doesn't seem possible that there can be any disaster. The papers keep repeating and I as constantly denying that in the event of Mr. McKinley's Election Mr. Hay and I are to change places. Who can get up such silly stories?

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
7 Nov. 1900.

"The great sensation of the day has been the election returns from America, as to which I caused two telegrams to be sent you on receipt of the first news. Every new report only increases McKinley's majority, both electoral and popular, and he has a good strong Con-

gress to back him. So I think we shall have a fine administration for four years. Bryan too has signified his purpose to take himself off. I think the result of the election creates as much interest and gives as much pleasure here as at home.

"My wedding today went off very well. The old Savoy Chapel is a charming place for such a ceremony, and the bride was really very pretty. A breakfast afterwards at the Savoy Hotel, but the only persons that I knew there were Col. & Mrs. Hunsiker. He is the Carnegie agent here and a great friend of Mr. Fleishman's. * * * "

(November 10.) " * * * I enclose cuttings from *The Times* of today about the Guildhall Banquet last night. It was an amazing affair in that grand old Hall, about 900 people dining, quite half ladies. I sat between Lady Gwendolyn Cecil and Lady George Hamilton. I, and my speech too, were enthusiastically received. In fact the interest of the English people in the result of our Election seems quite equal to our own. * * * "

The Lord Mayor's banquet is a great show and one of the great public occasions of the London year. The Lord Mayor, who gives the feast, comes to it announced by a fanfare of trumpets, accompanied by the Lady Mayoress and attended by sword and mace bearers, and his lady by maids of honor, to a raised platform at the end of a great reception-room. The company is large—Mr. Choate says nine hundred—and everybody who goes wears the most decorative raiment they have; so that, as the London *Times* says of this banquet, "there was the customary display of gorgeous uniforms, beau-

tiful dresses, orders, diamonds, costly plate and flowers, to which the Guildhall, brilliantly lighted so as to exhibit its fine architectural proportions to the best advantage, afforded an appropriate and admirable setting." The main speakers were Mr. Goschen for the navy, Colonel McKinnon for the army, Lord Salisbury for the ministers, and the American Ambassador for the foreign ministers. It was in this speech that Mr. Choate told his celebrated historical narrative of Downing Street and how it got its name:

"I hardly know," he said, "to what I am to attribute the honor of being selected to speak for all the foreign representatives. There are many of them that have been here much longer than I, whose faces are much more familiar to you. Probably I owe it to the fact that I am the only Ambassador present, possibly to the more significant fact that perhaps I know more about Downing Street, whose pavement we tread every week in our visits to her Majesty's Minister for Foreign Affairs, than any one of them. The truth is that Downing Street, if it may be called a street at all—which I somewhat doubt—is altogether an American street, and, however the representatives of other nations may feel, we are entirely at home there. I will show you how it is an American street, and how it derives its origin and its history from the earliest periods of the English colonies in America. I doubt whether many within sound of my voice know why it is called Downing Street. Now, at the school which I had the good fortune to attend, I am afraid to say how many years ago, in Massachusetts—the best colony that was ever planted under the English flag, and planted in the best way, because you drove them out to shift for themselves—at that school over the arch-

way of entrance there were inscribed the words *Schola publica prima*—the first school organized in Massachusetts—and underneath was inscribed the name of George Downing, the first pupil of that school. Then in Harvard College we find him a graduate of that institution in the first year that it sent any youths into the world, the year 1642. He soon found his way to England. He became the chaplain of Colonel Oakey's army under Cromwell, and he soon began to display the most extraordinary faculties in the art of diplomacy of any man of his day. It was the old diplomacy. It was not anything like the new diplomacy that Lord Salisbury and the Foreign Ministers here present practise. It was the old kind. Downing developed a wonderful mastery of the art of hoodwinking, in which that kind of diplomacy chiefly consisted. In the first place he hoodwinked Cromwell himself, which showed he was a very astute young man, and persuaded him to send him as Ambassador to The Hague. Well, after the Protector died, he tried his arts upon the Rump, and he hoodwinked the Rump, and they reappointed him Ambassador to The Hague. And when the Restoration came, he practised his wily arts upon the Merry Monarch, and induced him to send him again as Ambassador to The Hague. Three great triumphs in diplomacy—all by one man. In those days, when the King shuffled his cards—and I believe he shuffled them very often—changes of office took place as if by magic, and he who had been in the Foreign Office was transferred to the War Office, and he who had been in the Board of Works was transferred to the Home Office, with the same happy facility with which those changes now take place, by the mere nod of the Prime Minister. Downing seems to have had

opportunities which none of her Majesty's present ministers enjoy—he made lots of money, and finally he induced the Merry Monarch to grant him a great tract of land at Westminster provided—or so the grant ran—that the houses to be built upon the premises so near to the Royal Palace shall be handsome and graceful. If you will stand at the mouth—shall I call it the mouth?—of Downing Street and gaze across the way to Whitehall where Charles in his merry moods was always banquetting and looking out of the window, you will appreciate the reason of this proviso. So he built him a house possibly in Whitehall, and he built more mansions between there and Westminster Abbey, and the old annals of the time describe those houses as 'pleasant mansions,' having a back fronting upon St. James's Park—the exact description of the Foreign Office to-day. For it also has a back fronting on St. James's Park, and really it is the most important side, because that is where her Majesty's Minister for Foreign Affairs always finds his way in and out, with a private key by the back front door. In the natural course of things Downing would have been haled to Tyburn and hanged by the neck until dead, but he won his way into the favor of King Charles by claiming that the King must forgive his past backslidings because of the vicious principles that he had sucked in in his early New England education. Finally he died, and by his will he devised his mansion and estates and farm at Westminster to his children, and now they are long since gone, leaving no wrack behind except a little bit of ground a hundred yards long and twenty yards wide, sometimes narrowing to ten, which bears still his illustrious name. It is the smallest and at the same time the greatest street in the world,

because it lies at the hub of the gigantic wheel which encircles the globe under the name of the British Empire. It is all American. I have shown you why it is called Downing Street. But why, Lord Salisbury, is it called a street? I have always thought that a street was a way through from one place to some other place. This does not come within that definition. I have heard it called a *cul-de-sac*—that has no outlet except at one end—a place where you can get in but cannot get out. How, however, other nations may find it, we Americans, by reason of our prescriptive rights in the premises, find it to be a thoroughfare. We feel entirely at home in it. Our feet are on our native heath. We can go in and go out, and give and take on equal terms. And now I will conclude with one word; perhaps it is the only proper word I ought to have said. On behalf of the entire Diplomatic Corps, whom I am happy here to represent, words would fail me to express the delight which we have found up to this hour in our intercourse with Lord Salisbury, and the very great regret we feel that we shall see his face in the Foreign Office no more. I hope in his higher and grander station he will not wholly ignore us. I hope he will rather imitate the example of the retired tallow-chandler who, parting with a great business which he had followed with eminent success and with great personal delight, wiped his eyes as he was leaving the premises and promised that on melting days he would in spirit always be ready to be with them. I believe—I know—that a good deal of the friendly relations which exist between all the great nations of the earth that are represented at this Court of Great Britain, and the preservation of the peace of the world, have in large measure depended upon the just and fair spirit, the patience and the forbearance, the hearty good-will and

the fairness which he has manifested towards us, and his considerate regard for the rights of all other nations, while maintaining with the utmost tenacity and stoutness the rights of his own."

"Hatfield House, Hatfield, Herts.
Sunday 11 Nov. 1900.

"DEAR MABEL:—

"Not half the glories of Hatfield House have been told. I wish that you and Mama could have been here with me today. The house itself is one of the most beautifully preserved of the old houses of England, and close by is the old palace of Henry VII. where Elizabeth lived during bloody Mary's reign—a prisoner part of the time—and this house is full of most interesting pictures, tapestries, armor, etc., etc. Lord Salisbury under his own roof is even more delightful than at the Foreign Office and that is saying a good deal. The party included Eustace Balfour & his daughter Baffie, Lord Rowton, Lord Percy—'Harry Percy' as they call him, recalling Shakespeare's 'Harry to Harry shall hot horse to horse,' etc., etc., Lady Ampthill, Eric Barrington & Mrs. B.—great friends of the Dunhams, several Cecils besides Lord Robert and Lord Hugh—about 20 at table.

"My speech at the Lord Mayor's banquet seems to have been the talk of the town for 24 hours. It seems that nobody knew the origin and history of the name Downing St. till I told it, and my demonstration that it was an American Street took everybody by surprise, it being the sacred centre of the British Empire. * * *

PAPA."

Mr. Choate's address on Abraham Lincoln, delivered in the Music Hall at Edinburgh on the 13th of Novem-

ber, is one of his most ambitious and notable speeches. Lincoln was a fresher subject to average English minds in 1900 than he would be now since Lord Charnwood has written his life and Drinkwater's play about him has had so remarkable a success. Lord Rosebery, in introducing Mr. Choate, spoke of his selecting for his discourse "the most interesting subject, I think, that was within the range of possibility—the great man whom he personally knew and saw in the flesh." The address is the leading one in the volume that contains the more finished discourses that Mr. Choate made while Ambassador. It was printed at full length in the New York *Times* on the day of its delivery, and other New York papers had more or less of it. *The Sun* went through it carefully for defects and snarled about as usual.

"Dalmeny House, Edinburgh.
14 Nov. 1900.

"DEAR MABEL:—

"I am much obliged for your letter of Sunday—and as you give us no idea of your future movements I continue to write to you at Luzerne, although I have more than half an idea that I shall find you at home when I get there on Friday night. The 'address' came off very satisfactorily last night. Lord Rosebery and I went in 'à la postilion,' and Jo drove in with the other young men—the secretary, the agricultural agent, and Mr. C. P. Trevelyan, M.P., who came up along with us. The audience was closely packed and was most responsive and enthusiastic, seeming to take every point as quickly and sympathetically as a New York audience would have done. I think the Scotch are a little closer to the Americans than any other people. Lord Rose-

bery lives like a prince, and Dalmeny looking out upon the Firth of Forth, and within a stone's throw of it, is most charmingly situated. Then close by, right at the edge of the water is his old 13th Century Castle where he sleeps and I guess spends most of his time here. There he keeps many most interesting treasures. The entire family consists of himself and Lady Sybil who since the marriage of her sister must have many lonely hours. They are most cordial and hospitable.

"Tonight I am going to the Archers' dinner in Edinburgh and tomorrow go to Burnley but as Sir Ughtred Kay-Shuttleworth is laid up with influenza in London, and Lady S. is kept there with him, I shall go from there on Friday to London.

Ever lovingly yours, PAPA."

His errand at Burnley was to distribute awards to the students at the Mechanics Institute of that town. He talked to them about education, which he said was the chief industry of the United States. He reminded them too that they were Lancashire people and that Lancashire, in spite of the cotton famine, had supported Lincoln in the Civil War.

"Gawthorpe Hall, Burnley,
Lancashire, Friday Nov. 16.

"DEAREST MABEL:—

" * * * My visit to Edinburgh was most enjoyable throughout. Lord Rosebery is a perfect host, and Lady Sybil does her part exceedingly well. Wednesday night I went with Lord R. to the annual dinner of the Scots Archers in Holyrood Palace, in that long gallery that has the portraits of the Scottish Kings for 600 years,

all just alike and painted to order by the yard by one artist. The Duke of Buccleuch presided, and of course we all had to talk a little. I chaffed the company to their apparently great satisfaction, and Lord Rosebery did the like.

"Gawthorpe Hall is a charming spot and house,—an oasis in this great manufacturing region, an old Jacobean mansion in fact commenced in the time of Elizabeth and finished just about the date of her death. Wonderfully well preserved—with many rich memorials of the past—portraits, carvings, etc., etc. Miss Nina Kay-Shuttleworth, a charming girl, does the honors in the absence of her father and mother most admirably for me and Sir Spencer Walpole, the only other guest. At the meeting last night I was made much of—presented with an address in a highly illuminated book, with a speech by his worship the Mayor, and talked for an half hour in a somewhat lively strain about education to an audience of 1500 mostly operatives. I will send you the first report I can get.

PAPA."

To His Wife

"American Embassy, London.
17 Nov. 1900.

" * * * Everybody seems pleased with my Edinburgh address and also with the speech at the Guildhall, and I am expecting to hear, as Mr. Smalley cables to *The Times*, that on the other side of the water they have been equally well received. I send you today's *Anglo-American* which seems to have a lot to say about me. * * *

J. H. C."

In a letter to his daughter (November 26) he says:

"I suppose you have seen the accounts of Sir Arthur Sullivan's death. I am very sorry for it. He was one of the most agreeable men I have met here."

He went to the Thanksgiving dinner of the American Society in London at the Hotel Cecil and told the diners why he thought of the United States as "a sort of Cinderella in the family of nations."

He writes to his wife (November 29):

" * * * I am expected to lead another bride to the altar next week—a Miss Langham of San Francisco (Do you know her?) who is to be married to Baron von Sternburg who used to be Secretary in the German Embassy at Washington. * * * "

"American Embassy, London.
1 December 1900.

"DEAR MABEL:—

"Writing 'December' reminds me that it is now almost a year since we had you and Mama both together —so we are both looking forward with great eagerness and delight to your speedy return. I had a lovely time last night at the Royal Society Dinner of which I send you a full verbatim account cut from the London *Times* of the proceedings. It was most delightful to be in close contact with such great men as Lord Lister and Lord Kelvin—who after wringing secrets from nature which have conferred lasting blessings on mankind, are as simple in bearing and modest in speech as children. The room was

full of celebrated men whom it was most interesting to see, of a wholly different type from those who generally grace civic banquets. Tomorrow we are to have a quiet day at home, which you know I always enjoy very much. I am, however, to lunch at the deBilles, who have invited me to meet Sir Henry Howard who is beginning to be talked of as Lord Pauncefote's possible successor at Washington.

"I also send you a cutting from the New York *Sun* in which some sensible writer corrects *The Sun's* absurd criticism on my Lincoln Address. * * *

PAPA."

To His Wife

"American Embassy, London.
Dec. 2, 1900.

" * * * I am looking seriously into the subject of a stove for our hall, and think I have found one very like a New York Stewart's stove to burn anthracite coal. Of course it will not be ornamental, but it will I hope keep you and Mabel warm. After your recent experiences you will hardly be able to bear a cold house. * * * "

(December 5.) " * * * I had not heard of Mr. Pratt's death, hardly a surprise as he had been an invalid so long, but it takes another name from the list of the class of 1852.

"I gave a bride away today at St. George's Church, Hanover Square. The groom, Baron von Sternburg, was for many years Secretary of the German Embassy at Washington. The only people in the Church were the parson, the clerk, two charwomen & the sexton, the bride & groom, her mother and two sisters and myself,

and they drove straight from the Church to the station en route for Paris, quite the quietest wedding I have ever attended. * * *

J. H. C."

(Saturday.) "I was so very busy yesterday that I got Jo to write you.

"In the evening I went down to Grub St. to the City of London College, to distribute prizes, etc. I had to travel largely on my muscle, so far as the address went, but so far as I could judge it seemed to suit the occasion. * * *

"I see that Lord Wemyss at the age of 82 has just got married. The English are a great people!

J. H. C."

(December 9.) " * * * Our stoves are up and are working beautifully, and being of porcelain—or rather terra cotta—they are not hideous, and are much less in the way than you might suppose. I feel quite sure that they will keep the house very comfortable through the winter, and after that they can be put down stairs. They have to be charged with fine anthracite coal once a day, and the fire will never go out. * * * "

(December 10.) " * * * Lady Agnew is a near friend of the new Lady Wemyss, and says she is a very attractive woman about 40 years old. Gossip says that the marriage took place five months ago, and that his family have only just now succeeded in overcoming his shyness to announce it. * * *

J. H. C."

"American Embassy, London.
13 Dec'r. 1900.

"DEAR MABEL.—

" * * * I spent two very pleasant hours yesterday at the British Museum (Natural History) at South Kensington with Prof. Ray Lankester who is the Director there, and wanted to show me about. It is quite the finest collection of its kind in the world. I saw the Great Auk—the remains of the Dodo, and the cast of the skull recently discovered in Java, and supposed to be the newly discovered 'missing link' between man & the monkey, but which Prof. Lankester thinks is only a very low type of man. The brain cavity is extremely flat & small. * * *

PAPA."

"American Embassy, London.
16 Dec'r. 1900.

"DEAREST MABEL:—

"What a shock it was this morning to get a cable from New York announcing that our dear Beaman had just died. I had heard of him constantly this winter as being in remarkably good health and spirits, and so this sudden news was all the more appalling. I really don't know what we shall do without him. I must have time to think. I immediately telegraphed Mama and already have her answer. To think of his being taken, and Mr. Evarts left, who has been trying to die now for four years. * * *

"I enclose a letter from George Von L. Meyer, our new Ambassador to Italy enclosing Julian Ralph's account and description of me at the Guildhall dinner which will probably just suit you. * * *

PAPA."

Queen Victoria died January 22, 1901. One looks for Mr. Choate's reaction on that event, but there are

CHARLES C. BEAMAN, JOSEPH H. CHOATE, AND HENRY E. HOWLAND.

no available letters about it. Such as he wrote—and he must have written them—were doubtless to friends in England, and the great disturbance of the war, and all that has followed it, have made English letters very difficult of access. On January 30 he wrote to Secretary Hay:

"*Private and confidential.*

"Dear Colonel Hay:

"I have acknowledged in my despatch of today the President's special authorization which you cabled me to represent him at the Queen's funeral—that I had immediately communicated it to the Foreign Office and was awaiting Lord Lansdowne's answer. I shall of course go to Windsor to the funeral, and shall probably go in the London procession in a state carriage as Mr. Reid did at the Jubilee. This procession is as I understand to be a strictly military one, and although many of the special envoys, most of whom are Royalties and great military officers, are to ride in it in full uniform, I have hinted to Lord Lansdowne that I thought I should hardly be paying proper respect to the occasion, to the King, and to the President, by appearing among them on horseback in a dress suit, or even a frock suit and a top hat, and that if there were to be state carriages in the procession as at the Jubilee, it would be more suitable for me to go in one of those. He appreciated the situation and as the arrangements are still in a formative state he said he would arrange it for me and I left it to him.

"I duly received your cipher cable 'order funeral wreath to be sent in the President's name at her Majesty's funeral,' and I immediately ordered from Green's what Mr. White and I after studying the matter carefully

thought the proper thing. It is an exact counterpart of the wreath sent by the King and Queen of Italy to the funeral of the Duke of Clarence. The continental sovereigns and governments were sending most extravagant things, the King of Portugal's took 5 men to carry. We thought that without imitating this, the President's should be very handsome, chaste, and dignified, and that our choice was adequate for his great position.

"The wreath will be sent to Windsor on Friday morning, and I shall try to send you a photograph of it in due season. I have also filled an order from Mrs. Garfield for a wreath from her in grateful remembrance of the Queen's kindness at the time of her husband's death.

"I do not send you more details because the press gives them to you faster than we can, and quite in advance of the facts.

Most truly yours,

JOSEPH H. CHOATE.

"Col. John Hay."

"1 Feb'y, 1901.

"TO COLONEL HAY:

"Everything is in readiness for the Queen's funeral tomorrow. I am fortunately relieved of all my apprehensions about our personal part in the funeral procession in London by the final decision to confine it strictly to the Royal Family and their Royal guests and the grand military escort. With the other 'special representatives,' I am invited to join the procession at Windsor 'to assist in the interment' and afterwards to lunch with the King at the Castle.

"Everything just now is intensely interesting here.

"The President's wreath went down to Windsor this morning and was in all respects worthy of him and of the occasion.

Yours very truly,

JOSEPH H. CHOATE."

Professor Pickering, the Harvard astronomer, had requested the Ambassador to receive for him a gold medal awarded by the Royal Astronomical Society. Mr. Choate undertook this service, and writes:

"9 February, 1901.

"MY DEAR PROF. PICKERING:

"I duly attended yesterday the meeting of the Royal Astronomical Society, and received on your behalf the beautiful gold medal, which I now have the pleasure of transmitting to you.

"I wish you could have witnessed the enthusiasm with which the references to you and to Harvard were received by the interested audience. Your own letter also, which I had the pleasure and honor of reading was much applauded.

"I congratulate you and Harvard very much on this most honorable achievement of yours. I cut from *The Times* of today a brief account of the meeting.

Yours very truly,

JOSEPH H. CHOATE.

"Prof. Edward C. Pickering."

"*Personal and confidential.*

"9 February, 1901.

"MY DEAR COLONEL HAY:

"I hope the President will show to you my letter to him of this date, explaining the reasons which constrained

me to decline his very kind and cordial invitation to me to accept the place of Attorney-General. I have stated the matter exactly as I viewed it and trust that my conclusion and the reasons I assign for it will meet with your approval as well as his.

"We are looking for your son's arrival before this reaches you. If he can give any time to London he will have a warm reception here.

"The new King is making a decidedly favorable impression and is to open Parliament in person on Thursday next with great splendor.

Yours very truly

Jos. H. Choate."

Mr. Choate was in constant communication with Secretary Hay. In the season when diplomatic business was being transacted he wrote to him, usually with his own hand and often at considerable length, about concerns of government and especially about diplomatic negotiations, first with Lord Salisbury and afterwards with Lord Lansdowne. The letters copied here are on subjects of relatively less diplomatic importance than the main part of this correspondence. It should not be inferred from them that the ambassador's time and thought were chiefly taken up with social matters, addresses, and lighter duties. An important mass of correspondence running over six years attests the contrary and shows him as a diligent official, skilled and practised in the law and in all researches that are connected with it; devoting his talents, his energies, and his acquired knowledge to promoting the causes and the interests of the United States. In the Alaska boundary case, there is a series of his letters to General Foster, who was con-

cerned in it for our government, giving him all possible help by suggestion, with information and by maps and other documents which he searched London, including the British Museum, to obtain.

On March 18 he was chairman at a lecture by Mr. Augustine Birrell at the Chelsea Town Hall in aid of the Cheyne Hospital. On March 21 he had something to say at the meeting for the London School of Economics, where Lord Rosebery made the chief address.

"American Embassy, London.
3 April 1901.

"DEAR MABEL:—

" * * * Tomorrow I go to Dorking to lunch with Mr. George Meredith. I wish I were as well up in 'The Egoist' as Jo is.

"Our little dinner last night for Professor Agassiz was very successful. It was fun to hear Sir Martin Conway describing to Lord Kelvin & Professor Agassiz his ascent of the 23000 feet peak in the Himalayas, most of the time cutting steps up the face of glaciers almost perpendicular like cataracts. The two others drinking it in as school boys would a new Arabian Nights story.

PAPA."

"American Embassy, London.
3 April 1901.

"DEAR JO:—

" * * * Tomorrow I go to Dorking to lunch with George Meredith. I am sure you would like to go with me, and discuss 'The Egoist'—to which I hardly feel equal—although fairly up in 'Richard Feverel' and 'Diana of the Crossways.' * * *

PAPA."

To the Same

(April 6.) " * * * I had a most interesting day with George Meredith. He lives in a cunning little cottage with a fine garden, an ideal place for a poet and a purely literary man, he is deaf and disabled in the legs, but as clear in the head as ever. He talks just like his books, is immensely devoted to French poetry and novels, speaks French, German, Greek and English apparently with equal facility, thinks 'Beauchamp's Career' his best book, says that when he wrote 'Diana' it was currently believed, and he was told positively, that Sidney Herbert (Dacier) gave Mrs. Norton (Diana) the secret from the minister (Sir Robert Peel) which was sold to *The Times*, but that subsequently it was all disproved.

"I asked him whether if he had to write 'Richard Feverel' again he would not rewrite the last chapter, and save the life of that dear young wife. He said 'no,' that 'the decrees of fate fall alike on the innocent and the guilty,' that Leslie Stephen had often asked him the same question and had stamped up and down his room declaring her death to be wilful murder on his part. He had a deal to say about Napoleon, of whom he was a great admirer, had studied his campaigns and could have pointed out to him many mistakes. * * *

FATHER."

To the Same

(May 4.) " * * * I am glad your interest in Law and the Law School revives so quickly and so emphatically. I am sure you will decide to 'stick' there for the 3rd year. I am decidedly in favor of that. Columbia Law School may hold out the same courses and have

the same appearance on paper, but Harvard is in my judgment infinitely superior, and if you will take the trouble to read what Prof. Dicey and Sir F. Pollock say about it you will see they think so too. (The Pollocks by the way invited you to a supper party next week) I feel very certain of the superiority of the Harvard Professors, and of the superior tone of the school. The spirit of hard work that prevails there cannot be reproduced in New York, and the prestige of Harvard adds value to its degree. I know that your contemporaries will mostly have left, but you would not find them in the Columbia Law School either; they will all be in offices, etc., and I have seen enough of trying to do both office and Law School at the same time to be certain that there is no good in that. * * *

FATHER."

On the 4th of June the Ambassador gave a reception at No. 1 Carlton House Terrace, where five or six hundred guests came "to meet the delegates of the Chamber of Commerce of the State of New York." He took the chair in place of the Italian Ambassador, who could not come, at the annual meeting of the Dante Society on June 5, and in moving a vote of thanks to the lecturer, Mrs. Craigie, told about the Dante Club in Cambridge, Massachusetts, and Professor Fiske's gift of a remarkable collection of Dante books to the library of Cornell University. He spoke at the annual meeting of the Children's Country Holidays Fund on June 11. The next night he made a real speech at the public banquet in the Hotel Metropole to Sir John Tenniel of *Punch*. It was a remarkable dinner, to commemorate Sir John's fifty years of service for *Punch*, for more than forty of

which he had contributed week by week the chief cartoon. Mr. Arthur Balfour was chairman. Other speakers besides him and Mr. Choate were the Duke of Devonshire and Mr. Birrell.

The Ambassador kept open house on the 4th of July, and the *Daily Telegraph* says that "Mr. and Miss Choate received visitors at the top of the staircase leading to the drawing-room, to the number of about two thousand." That night he went to the 4th of July dinner of the American Society in London, and there of course addressed the company.

On July 13 he presided at Mr. Frederick Harrison's lecture on the life and reign of Alfred the Great in connection with the Anglo-Saxon exhibition at the British Museum. He was a speaker on July 15 at the dinner of the Royal Free Hospital at the Hotel Cecil. He distributed prizes on Prize Day (July 22) at University College School in London.

As has been noted, he took a house that summer at North Berwick, near Edinburgh.

To His Wife

"Blythswood, Renfrew, N. B.
Sunday, 4 Augt. 1901.

"I was delighted to hear by your letter which reached me before I left London, that you and Mabel and Mimsy had all borne the very fatiguing journey so well.

"I reached here at half past seven, an hour late, and as Lady Blythswood had written that they would send for me to Paisley, and I had written her that I would come Saturday by that train, I was a little surprised to

find no carriage, but I took a fly to the house—about three miles—and when I reached here it was quite evident that I was not expected. Lord Blythswood soon appeared, much surprised, and said they did not expect me till Tuesday the sixth. But I told him they certainly invited us from the 3rd to the 6th and I had written on Thursday that I would come Saturday. 'No' said he, 'your letter too said you would come Tuesday.' But my letter being fished up confirmed me—on that point at least. They are sure they invited us from the 6th to the 10th and had really on hearing I would come, invited a lot of people to meet me, most of whom fortunately are sick and couldn't come. I would have given anything to have had that letter inviting us which you so strangely destroyed. I hope you will never destroy another until the visit is made. You see it is necessary to have your credentials ready to produce. And hereafter I shall insist on keeping all in which I am concerned in my own custody. It is so easy to make such mistakes. And oddly enough, by a strange coincidence, when I asked Lady B. to produce your letter to her in which you said you had written that I would come from the 3rd to the 6th, she too had destroyed that before my arrival, but she said you wrote that I would come on the 6th. Did ever you hear of such a chapter of contradictions? However, they were most cordial and jolly and gave me as warm a welcome as if I had been expected and waited for, though they were much chagrined that I shouldn't have been sent for. There are here over Sunday only Genl. Trotter who is in command of this District at Stirling Castle, Lord Dundas, a son of the Zetlands, Mrs. Rowley & her daughter from Dublin and another lady whose name I have not yet acquired. But next week was to have been

and is to be the great week. Lord Clanwilliam and his daughter Katharine come tomorrow and on Tuesday the brother of Lord Blythswood is expected to arrive from South Africa with his regiment—a regiment of this district.

"To add to the perplexity of the situation on my arrival, *my trunk had been left behind.* The train was so large that they had to run in three sections, and somehow in the confusion of rearranging the train at Glasgow, or just outside of Glasgow, my trunk and several others were left, but the Station Master said it would come by the next train *in five minutes.* However, I distrusted that very much, and came on here, leaving Laurence to wait for the trunk. I had to go to dinner as I was, and when we were nearly through with dinner the butler came to me and said that my servant had come but *without the trunk.* Lord B. was kind enough to send one of his own men back to Paisley with Laurence, with instructions to telegraph in all directions, but at half past 11, nothing had been heard of it, and I was constrained to borrow one of Lord B's nightgowns to go to bed in. The fit would have been as if Codling had tried one of Short's (now that probably touches an abyss all round, but read 'The Old Curiosity Shop'—little Nell). Not giving up all hopes, although things looked pretty desperate, I concluded to sit up till midnight in the hope that something would turn up, and sure enough, just as the clock struck 12, in came the trunk which had been found in the Station at Glasgow and sent back. So at last the fiat went forth 'requiescat in pace' and to bed I went.

"This is a very fine place. The Queen stayed here for three days in 1888, but it has some drawbacks—espe-

cially the River Clyde which runs through the Park, and is very foul. It does really smell terribly, and its bed is black as ink.

"There came up on the train with me a very pretty Mrs. Littleton, a cousin of Lady Jersey and a sister of Lady Alice Shaw-Stewart's husband. She was going beyond here to visit her parents, having just got the news of the death of her youngest brother—Shaw-Stewart, on his way home from South Africa on the same ship that brings B's brother's regiment to which he belonged.

"Preparations are already on foot to give me enough to do tomorrow. In the morning to visit the Cathedral which Macaulay describes as almost the only fine building of middle ages surviving in Scotland, and he gives a very striking account of the Presbyterians snow-balling the prelatists there as they came out—before the Government of Scotland got settled on the accession of William & Mary. Then we are to visit the Municipal buildings—thought by the people here to be the finest in the world—to lunch at a hotel in Glasgow, and in the afternoon to do the Exhibition or be done by it. As long as I stay—and in view of the horrid mistakes which I have related I can't quite tell how long that will be—there is likely to be quite a circus.

"Don't forget to write to George.

"I hear the motor coming for the mail, so goodbye.

J. H. C."

To the Same

"1, Carlton House Terrace, S. W.
19 August 1901.

" * * * On Saturday I went out to Wimbledon and lunched with Mrs. Ritchie—Thackeray's daughter—to

meet the Schuylers who have taken the house next door. Her house is full of most interesting memorials and reminiscences of her father—books, sketches, paintings, manuscripts—all delightful to see and she was most agreeable. Her husband is private Secretary to Lord George Hamilton at the India office, and as he is much confined there, and then is going into the Law, they have just concluded to give up their house and are to take one in town.

"On my return I drove to Paddington and spent Sunday at Wilton Park very pleasantly. The party was small—Mr. & Mrs. Winty Chanler—she is a sister or half sister of Marion Crawford—Mr. & Mrs. Edward Wharton—she the author of 'The Greater Inclination' and decidedly interesting—one of Governor Morton's daughters, George Pell & Mr. de Haviland, a tutor at Eton. * * *

"Lady Curzon has sent your letter to 'the Viceroy to answer.' They decline to renew the sunblinds over the skylight on the ground that they were 'put in order 2½ years ago, and that it is not their business to renew them. They have always closed all town houses they hired (5 in all) 8 mos. in the year, and so are not surprised at the wear & tear here, etc.' * * * "

To the Same

"American Embassy, London.
14 September 1901.

"I came down just at the right time. The sad news of the President's death reached London a few minutes after my arrival and I heard of it while at breakfast. The reaction from such buoyant hopes has completely overwhelmed every one, and there can hardly be more

genuine and widespread grief in New York than in London. My first act was to telegraph the news to Jo at Clonmel and to direct him to return immediately to North Berwick, and having an impression that he had left there to go to some place which you knew and I did not, I telegraphed to you asking you to do the same. I have his answer dated 1:25 stating that he will leave this afternoon at 3:25 if connections are possible. So, you will have him with you almost as soon as this letter.

"Of course we have been inundated with calls and with telegrams in showers from all parts. It is hard to keep up with them.

"Mrs. White and Mrs. Eustis were in this morning, and we talked over the question of mourning—and concluded that the ladies of the Embassy must wear dull black, as you did for the Queen, and crape about the hat or bonnet.

"There will doubtless be a memorial service, probably at Westminster, at which we should all go that can, and I hope you and Mabel & Jo will come down for it. It will be on the same day as the final interment of the President. I think it will be in the Abbey because Subdean Buckworth has been in this morning and is consulting Dean Bradly about it who is out of town.

"The flags on the public buildings are at half mast, and everybody is very, very sorry. * * * "

(September 16.) "As I telegraphed you this morning, there is to be a Memorial Service for the President at Westminster Abbey on Thursday at 12 noon, and as we are chief mourners, it is highly important that we should all attend if possible. * * * Of course we are all over head and ears in work. Mr. Woodward came back this

morning. The details of the preparation for this ceremony are immense, and by the aid of the Lord Chamberlain and the other Ambassadors who have had similar functions, we hope to do it all right. A constant stream of callers—such as Sir William & Lady Harcourt, Sir Wm. MacCormac, half a dozen Filippinos with an interpreter, Henry Higginson and scores of others all in rapid succession, and constant messages from all sorts of people from Royal Dukes, down, for instance, to the Association of Cab Drivers plying at Charing Cross.

"I shall rely on Jo to get you safely down here and back & on Thursday he will have to help the Embassy receive people at the Abbey. There will be only 950 seats but the whole of the rear and North Transept will be open to the public. * * *

J. H. C."

To the Same

"The Athenaeum, Pall Mall, S. W.
22 Sept. 1901.

" * * * I have been pretty busy today getting off the bag, with a long letter to Col. Hay about Treaty matters—also we sent an autograph letter from Queen Alexandra to Mrs. McKinley. Addresses and resolutions continue to pour in from everywhere, but we are getting the matter well in hand with printed forms of reply in which the name of the sender is inserted by machine, and my signature is all that is necessary.

"This afternoon I took the brougham and made my necessary calls after the Abbey service—the three Ambassadors and Dean Bradly.

"Mrs. White is doing well with her broken foot, but the Drs. say that she must not walk for two weeks. * * *

"Do look at this week's *Black & White* which I just took up on the table here—a most rugged and furrowed picture of me at my desk in the morning room receiving the news of the death of the President, and Mr. Woodward standing beside me. * * *

J. H. C."

(September 23.) "As I telegraphed you this morning on receipt of your letter, I really could not accept an invitation even from Mr. Balfour for next Sunday, as I shall probably be detained here. I must wait upon Lord Pauncefote who is in communication with Lord Lansdowne. Must also meet and discuss matters with Mr. Lodge who is an important factor just now,—and have a lot of other things on hand.

"I am happy to say that the letters about President McKinley are diminishing in number and importance and can mostly be attended to by others, although I have had to sign my name not less than 50 or 60 times today, and spent all day in the house preparing a long report on the 'London clause' in the North Atlantic Lines bills of lading—not quite all day because I was interrupted by visits from Lady Curzon with whom I went over the house. I don't think she found anything out of the way, or is at all disturbed. In Mabel's bath-room she discovered the weighing machine and got me to weigh her —8 stone 2—a gain she said of 4 pounds. Lord Pauncefote thought, and so did I, that she was handsomer than ever. She goes to India on Thursday. * * * "

(September 24.) " * * * This is one of our fateful days—dear Ruluff's birthday. Think of it that he would have been thirty-seven years old today—quite middle

aged—and what a difference it might have made in our lot. I miss him and Effie more and more the older I grow. * * *

"Roosevelt seems to be starting off wonderfully well, and though he is so very different from McKinley I believe he is going to make a splendid President—a popular one he is bound to be. * * *"

(September 25.) " * * * I got a wedding present this morning for Helen Morton, a pair of claret jugs mounted with silver gilt—very handsome—only one of them is not yet made, but they promise to have it ready in ten days, on the 4th, the day before the wedding. That is to take place at the little Catholic Church in Chelsea. I have seen the happy man—quite a good looking Frenchman—also called this P. M. on Mrs. Morton—at the Coburg Hotel—where Helen is acquiring a 15 days residence under the English Law. They are quite worn out by the red tape details, and the requirements of the French lawyers. I fell into the arms of the whole lot in the Hallway of the Coburg—Mrs. Morton, Helen, Lina, Eustis, the bridegroom and his mother, the Duchess de Sagan, all discussing some of these fine points.

"My old friend Simon Sterne is dead of apoplexy in New York. I have had pleasant relations with him for 40 years and always enjoyed his intellectual cleverness. * * *

J. H. C."

"1 Carlton House Terrace,
Sept. 26, 1901.

"DEAR MABEL:—

" * * * I am to have an audience with the King tomorrow at 11. I sent my note asking for it last night—or rather had Woodward do so, addressed to Sir Francis Knollys at Marlborough House, thinking he was in at-

tendance there, but he was in Scotland and the note was forwarded to him unopened, but he telegraphed its contents back and the King immediately named an hour.

"How fast events push each other off the scene! Here we are receiving telegrams every 15 minutes from the Central News reporting the progress of the two yachts in the race at New York and they are very thrilling, very close and very varying. For instance, at the end of 1 hr. 5 min. the yachts had covered 7 knots, the *Columbia* leading 200 yards, but 15 minutes later '*Shamrock* drawn up—Grand race wind decreasing' and wind decreasing is supposed to be favorable to *Shamrock*. If I get anything decisive before 8 I shall telegraph you in the hope of your getting it before you go to bed.

"I have had a long session today with Lord Pauncefote and fear I shall have to have a good many more. * * *

PAPA."

The long session with Lord Pauncefote was about the Panama Canal, and was doubtless part of the negotiations which substituted the Hay-Pauncefote treaty for the Clayton-Bulwer treaty. Before the canal was dug at the isthmus it had to be dug through the minds of men, and in that excavation Mr. Choate was now doing his part.

To His Wife

"The Athenaeum, Pall Mall, S. W.
27 Septr. 1901.

"I must write you one line although I have been writing again nearly all day. Dr. Kinnicutt, or Dr. Connecticut as Creber persists in calling him, called this morning. They are back at Buckland's until they sail next Wednesday.

"At 11 I drove in great state to Marlborough House and had my audience with the King to thank him in person for all the kindness and sympathy that he and the Queen have shown. His Majesty was in fine form—looking perfectly well, and in excellent spirits. You can safely contradict any stories you hear to the discredit of his health. He received me most cordially, put me in an armchair opposite his own, and had a great many things to say, was very solicitous about Mrs. McKinley and sent her a kind message of regard; was very much interested in President Roosevelt, seemed to be quite familiar with his record and admired him; asked very kindly for you, and after 20 minutes' conversation accompanied me to the door of the Indian room where I was received and asked me to send him photographs of McKinley & Roosevelt.

"Those people of whom I ordered the claret jugs for Helen Morton sent me word tonight that after all their promises they couldn't have them done for two weeks. So I have got to do that over again—a great bore for one who loves shopping so little."

(September 28.) " * * * I am getting telegrams every quarter of an hour from the race—the last word being, 'Both boats rounded stake boat, *Shamrock* 30 seconds ahead.' She must be doing much better than on Thursday. * * *

"Bishop Whipple is dead in Minnesota—a great loss.

J. H. C."

A little later they went home and stayed over Christmas and well into the New Year. A dinner was given to Mr. Choate at the Lotos Club, and there is a record

of his remarks there. In December he went to visit Mr. George Vanderbilt at Biltmore in North Carolina. It was as though he had acquired the habit of making visits at country houses and could not break it off all at once. About Biltmore and his visit there he writes to his wife:

To His Wife

"Biltmore House
28 December, 1901.

"I take advantage of the first moment I have here to tell you of our safe arrival. Mr. and Mrs. Vanderbilt are full of regrets at your absence and its cause, as are all the rest of the party which consists of Commander and Mrs. Cowles, your friend Mrs. Keyes and a Prince whose name I have not yet got hold of. Mr. Fred Stimson of Boston and his pretty daughter, young Mr. Robbins and his wife from New York, Mrs. Mead, whom we used to know and like so much in 11th Street, Mr. John B. Trevor, a Harvard Senior, and Mr. Gregory. * * *

"I shall not attempt to describe the house, which is obviously the finest in America, but the dogs are truly magnificent, and the baby a very lovely one—now six months old. She shakes hands with everybody and is very jolly and sociable. Mrs. Sears will be glad to know that I promptly delivered Helen's present, which Mrs. Vanderbilt received with great pleasure.

"My room in which I now am to get ready for dinner is a most spacious one, with a fine open fireplace and no steam heat, which seems to be just now the curse of America."

"29th December.

"Since our leaving New York there has been nothing but rain, and the downpour ever since our arrival has

been tremendous, but all hands have been out this afternoon for a stroll in the gardens and greenhouses—the latter very spacious and splendid, but with not a flower to show now as everything is preparing for winter. Although it is more than 2200 feet above the sea, the season is much milder and the summer much longer than in New York or Massachusetts, so that the best of grapes ripen in the open, and figs also. The hills all about are covered with rhododendrons, and in June it must be a paradise. There is almost no snow here in winter, and Asheville is thronged with winter patients.

"Mr. Vanderbilt frequently repeats his regrets that you are not here, and hopes your coming is only a pleasure deferred. I hope you will come some time in early summer and see Biltmore in all its glory. The library appeals to me as the most charming part of the house, and its contents include the rarest of volumes, which he has been collecting since he was 19, and could only have been bought at great price."

"30 December, 1901.

"At last the weather has cleared sufficiently to show us the snow that has fallen on the neighboring mountains, one of which is over 5000 feet high.

"The house constantly grows upon one and is truly a great affair—a worthy monument to Richard Hunt as his last work. You are reminded of that by Sargent's portrait painted here—a ghastly thing, exhibiting in most glaring way the dreadful disease of which he was dying. You would revel in the winter garden in the centre of the house, 60 feet high and full of palms and ferns with the loveliest fountain always flowing in a gentle way, inducing rest and sleep. The vast swimming tank

under the main hall is a great resort for the young men after exercising—ten feet deep so that they can take a good dive. This forenoon we are to drive about the farms and see the wonderful stock. Mr. Vanderbilt is teaching the farmers about here the first rudiments of farming. They were a pretty hopeless set before.

"I wish you could see these great St. Bernards—five of them, father, mother and three children, all big and splendid. They seem to fill the billiard-room and are most affectionate."

"1 January, 1902.

"Last night the whole party sat up to greet the New Year and were very merry indeed, though the departure of Mr. and Mrs. Cowles in the afternoon left a great gap. There were games and dancing, hot punch served at the stroke of 12 and quite a revel even after that. Mrs. Vanderbilt fills her great place with the utmost fitness.

"I wish you could see the Albert Dürer room opening out of the library, and the Rembrandt gallery which leads to the Vanderbilts' private apartments—the latter really royal. The very choice prints and etchings of both artists are wonderful. Many cases of Rembrandt's etchings—two or three of the same subject—show the changes he made in the same picture from time to time in groupings, dress, expression, etc."

Mr. Choate's diplomatic labors and correspondence up to 1902 had to do chiefly with the matters of the Alaskan boundary, the seizure of American goods bound for Delagoa Bay, the amendment of the Clayton-Bulwer treaty to permit a new arrangement satisfactory to the United States about the building of the Panama Canal,

and the questions that arose out of the Boxer rebellion in China, including a long, faithful and successful contention for the open door in that country. Besides these important matters of state, there was a considerable correspondence about the case of Mrs. Maybrick, which ended in a reduction of her sentence.

"American Embassy, London.
24 January 1902.

"DEAR MABEL:—

The 'evening of life' for me begins today at 70, and you will soon have to determine whether we shall settle in Salem finally or not. * * *

PAPA."

Mr. Choate used to threaten to go back to Salem to spend "the evening of his days," a plan his family did not favor. Partly to wean him from this inclination, they named the place at Stockbridge "Naumkeag," which is the Indian name for Salem, and means "Haven of Rest."

"American Embassy, London.
25 Feby. 1902.

"DEAR JO:—

" * * * I was shocked beyond expression this morning by your announcement that Professor Thayer had suddenly died, of which we had no intimation whatever, or even that he was ill. I agree with you that his loss to the Law School is irreparable. His commanding position there and from there was very lofty, and he was generally regarded in all the law schools and by the Bar throughout America as a very high authority on questions of Constitutional Law and of Evidence.

He was one of my oldest and dearest friends, and one of those upon whose continued friendship to the end I had confidently counted. In college days we were particularly intimate, and his tender and loving heart endeared him to his fellows, especially to those who were thrown in close contact with him. * * *

FATHER."

On the 11th of March he was chairman of the annual dinner of the Fly Fishers Club at the Hotel Cecil and discussed many things about fly-fishing, the Puritan Fathers, fish breeding and planting in the United States, and other like matters.

"American Embassy, London.
15 March 1902.

"DEAR MABEL:—

"I enclose an account of last night's 'Drawing Room Court' the first of the new reign. There was a great crowd, about 800 passing before the King & Queen. It was held in the great Hall where you have attended State concerts.

"The King & Queen stood in front of the dais where at concerts they formerly sat, and we all passed before them. The King shook hands only with the Ambassadors, and after the Ambassadresses had passed and made their courtesies they stood on the left of the Royal party, and the Ambassadors on the steps of the throne. You will be glad to know that Mama looked very well, that her dress was very pretty, and that she stood it as well as anybody—though of course it was most fatiguing—much better than some of her more embonpoint colleagues who almost dropped with fatigue. In fact one of them

did sit down—hiding behind Countess ——'s ample zone, until Sir Wm. Colville came and insisted on her going out or standing up.

"The Italian Ambassadress, Madame Panza, made her first appearance and is most charming. I took her out to supper (There was supper, and the whole thing was a great improvement on the old day drawing rooms).

PAPA."

"1, Carlton House Terrace, S. W.
16 April 1902.

"DEAR JO:—

" * * * Mama and Mabel went to Paris last Saturday to be gone for two weeks, so that I have been absolutely alone, as Emily Tuckerman who had stayed with us till they left, went to Torquay to visit the Godkins to return Saturday. Meantime I am getting up a dinner of 36 for the 28th and am also planning for a 'squash' for the same night. But I find it a great job to make out a list from our 'visitors' book, especially in mama's absence, as she knows so many of the people that I do not, and I may have to take a later day for it. We can not invite less than 2000 people but experts like Carter and Creber say that that is not too many to ask for such an occasion. * * *

"The arrangements for Coronation are proceeding, but not much that is very definite is yet announced. One thing, however, we have, positively and officially, which pleases me, viz. that the 'Resident Ambassadors' are not to go in the Coronation procession, but are to go directly to the Abbey. This solves the difficulty about a State Carriage, as it would have been absurd for me to go in a dress suit and a plain carriage among my col-

leagues all in their 'voitures de gala' and bedizened in splendid uniforms, and still more absurd to try to get up anything for the occasion. * * *

FATHER."

The matter of what the American Ambassador should do for a state carriage for the coronation was discussed in the newspapers of the day. A state carriage, proper for a very splendid street procession, is quite a serious detail of provision. It was discussed in the United States whether it was the duty of the government to provide one of these chariots, which cost, it seems, $12,000 or $15,000 and are of no possible use to an Ambassador after he retires from office. It will be understood how welcome the announcement was to Mr. Choate that the resident Ambassadors need not be part of the street show.

To His Wife

"American Embassy, London.
17 April 1902.

"Mr. White arrived today and we have all been at work all day on that terrible list aided as far as R. by your comments, but it is a terrible job. You mustn't be too hard upon Lady Mt. Edgecombe and Lady Clarendon for 'not having called' as they have both been dead many years and have a good excuse, but your mistake mitigated the dullness of our work. * * * "

"1 Carlton House Terrace.
18 April 1902.

"DEAR MABEL:—

"You and Mama may thank your stars that you have been out of the way while all this work in preparing the

'At Home' has been going on. We finished the list late last night, and today converted the long table in the dining room into a work table at which you might have seen me & Mr. White, Mr. Carter, Mr. Eustis, Mr. Woodward, Frank and Miss Garretson from the Embassy, and two men from Webster's, and Creber besides, all directing envelopes, and studying Red Books and Blue Books, Dodd, Lodge and Who's Who for addresses. Mr. White's and Mr. Carter's special knowledge of the people prove to be invaluable, and Mr. Woodward's executive faculty. More than 700 envelopes have already been directed and verified, and before midnight we hope the rest will be done, leaving only the cards for tomorrow and the sealing, stamping & mailing for Sunday, so that we hope all will reach their destination Monday. It will take more than £4. worth of postage stamps for them all. * * *

"I am afraid that you and Mama will think that great dinners and great receptions can be given without any trouble, but next time I will go to Paris and you two can stay at home and take charge. * * *

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
Monday 21 April 1902.

"We are proceeding apace in our preparations—eleven hundred cards have been stamped and mailed and I suppose the additional ones that will be called for will bring it up to 1200.

"Creber & Hicks will get up the dinner, and Kingston Miller & Co., who usually do our 4th of July, will attend to the Soirée. Of course we miss you and Mabel terribly in all this, and if you are really through with

your dress-making, as you hoped to have got last Saturday night, the sooner you get home the better. The whole embassy thinks that your escape at this time was a perfect stroke of genius.

"Today has been a very full day—a ride, two delegations on what were supposed to be international matters but which turned out not to be so—the King's levee—the Evelyn Gifford wedding at the Church & at the house, the service performed by the Archbishop of Canterbury, Lord Salisbury & I signing the Register, and I led Lady Halsbury to the vestry and out of the Church. Emily Tuckerman arrived at four and the rest of the day has been spent in revising the last cards, etc. Although we left R. S. V. P. off, as you saw by the invitation sent you, answers are beginning to come in rapidly. To make more room in the house K. M. & Co. are to have a sutler's tent on the terrace where the whole service of the Soirée is to be done through the middle window, which we all think a capital idea. I believe Mr. Woodward is sending you a long list which we have culled out for omission unless you insist on sending them—mostly people whom we can find out nothing about. Our dinner will be 40."

The Ambassador's reception on the 28th of April is described apparently in the Paris edition of the New York *Herald* as "the largest function that has been given by the diplomatic corps in London, and if perfect appointments and a tremendous throng of distinguished men and beautiful women constitute any sort of standard to judge by, the function was an unqualified success."

He spoke on the 9th of May at a dinner to the American and colonial journalists in London, given by some of their English brethren in connection with the impend-

ing coronation. The Boer War ended towards the end of May, 1902, and the coronation was fixed for the 26th of June, but on the 24th the King took sick with perityphlitis and had to have an operation, and the coronation had to be put off; but the operation succeeded remarkably, and he got well so fast that he was able to be crowned on August 9. The show was somewhat less gorgeous than it would have been in June, but it was still a great show.

"American Embassy, London.
5 June 1902.

"DEAR JO:—

"I must admit that in the matter of letters you have been rather badly treated lately, but we went off to Jersey and Guernsey (a delightful trip by the way) for the Whitsuntide holidays, and since our return the rush has been simply terrific. * * * Nothing but the Coronation seems to be thought of or in the way of being done. Yesterday we received our invitations to the Abbey, very large and handsome cards, of course, about 8 inches by ten, simply inviting us to the Abbey to attend the Coronation, and saying that cards of admission and detailed instructions would be sent us later. These are directed to the Ambassador, Mrs. Choate and Miss, and I understand that all those of the Embassy whose names are on the Foreign office list received the same. I still am not without hope of getting you in somehow, as Lord Lansdowne has said that he would do what he could for me in that direction.

"I arranged a big dinner for Mr. Reid the day after his expected arrival—June 12th. He expected to come by the steamer which would bring him here on the 11th but having got notice from Cambridge that they wanted

to make him an honorary LL.D. on the 10th he has taken an earlier steamer which brings him here on the 7th. But our dinner remains unchanged, and quite a lot of your very nice friends will be there, including Lord & Lady Grey & Lady Sybil, Lord & Lady Leven and Melville, the Duchess of Marlborough, Duke & Duchess of Sutherland, etc., so that I think Mr. & Mrs. Reid will be well content.

"Strangely enough the King & Queen & Princess Victoria fixed upon the day before (June 11th) for coming to dine with us, as they had accepted our invitation as long ago as April, and 'hoped to fix a day in May for it' but that month was too full. This of course is to be a very stately affair, and there we expect Mr. & Miss Balfour, Lord & Lady Lansdowne, Lord Rosebery, Lord & Lady Derby, Lord & Lady Spencer, the Bishop of London, Sir Wm. & Lady Harcourt, Pierpont Morgan, Mr. & Mrs. Reid, and others of like distinction, and the Whites & Carters & W. W.—the other members of the Embassy, Mrs. Sears, etc."

"Saturday June 7th.

"DEAR JO:—

"I must send this letter unfinished.

"We never get a moment now. Sarah Sears was presented last night successfully. * * *

FATHER."

At the Fourth of July dinner of the American Society Mr. Choate proposed the health of the King, and naturally enlarged upon that subject, telling about the shock and disappointment of his illness, recalling his lively sympathy when the news of the death of President McKinley came, and rejoicing in the prospect that he would soon be well again.

Bishop Simpson had died, as he notes in a letter. As the representative of six millions of Methodists in America, Mr. Choate spoke about him at a meeting of Methodists in Wesley's chapel. He had a great admiration and regard for Bishop Simpson and recognized how remarkable and important a man he was.

He spoke very cheerfully on September 30 at the Cutlers' Feast at Sheffield, winding up with discourse on American competition, which he said the Sheffield cutlers need never fear so long as they could furnish the best goods at the lowest prices.

To His Wife

"American Embassy, London.
24 Sept. 1902.

"This ought to have been one of our great days—the birthday of our dear Ruluff. I woke at quarter before six to recall his first cry at that hour, thirty-eight years ago. What a comfort and support he would have been to us, as we grow older, in full manhood, with a group of children about him—those much coveted grandchildren whom we have so far missed. Certainly we miss him and dearest Effie more and more every year. But we must make the most of those who are left to us. * * *

"President Roosevelt's illness is startling but I think not very serious."

To the Same

"The Athenæum, Pall Mall S. W.
Monday evening, 13 Oct. 1902.

" * * * Today I have devoted to the Generals, Corbin, Young & Wood. I took them to the Palace for lunch

where the King received them very graciously, showed them about the palace, kept them to see him award the medals to Kitchener and all his staff, mixed them up at the table with the British Generals, and just before we rose from the table, proposed the health of the President in a very hearty way. * * * "

To the Same

"American Embassy, London.
14 Octr. 1902.

" * * * Today we are having mingled showers & sunshine and it is almost like summer. Tomorrow, I am going to the lunch which 'The Pilgrims' give to our three American Generals. By the time they get through my dinner on Friday I think they will need a sea voyage to recruit. They are being dined and wined quite as vigorously as we were in America.

"The King and W. Woodward and Wadsworth have all gone to Newmarket. How anybody can stand such frequent races quite passes my conprehension."

(Wadsworth, above mentioned, was Mr. Craig Wadsworth, third secretary of legation.)

(October 15.) " * * * I have just come from 'the Pilgrims' luncheon at the Carlton for Generals Corbin, Young and Wood—which was quite a jolly affair—and of course I had to help jollify it. I enclose the card. * * *

"Tomorrow is our great day—our greatest day. I hoped we should never spend it apart again."

On the 25th of October King Edward went in procession through the main streets of London. Writing to his wife on that day Mr. Choate says:

"The great procession is over, and the whole day has been quite successful. When I got here I found a letter from de Staal saying that voitures de gala were not to be allowed in going to the Guildhall today, and a telegram which came at midnight saying that the last order was, voitures de gala necessary for today. As I had already ordered the best turnout that Withers could furnish, I made no change. Genl. Wood arrived at eleven and we drove down together. I sat between the Lady Mayoress and the Italian Ambassador. All the Royalties were on hand except the Princess of Wales and the Duchess of Fife, and made a great show. Everything was very handsomely done, and the display of gold and silver was especially fine. I had not long been home before the procession began to pass our terrace, where were Mrs. Wodehouse and Eleanor, Miss Rose Lamb, Mr. & Mrs. Townsend & their two children, Mr. & Mrs. Hardy who are going to Madrid, Rev. Dr. Nevin and quite a lot besides. Creber had some cake, sandwiches and wine for them and everything was done well. * * * "

"1 Carlton House Terrace,
Oct. 27, 1902.

"DEAR MABEL:—

"Today we have had the great Thanksgiving Service at St. Paul's for the King's recovery, which of course was most splendid. Half an hour before the arrival of the King at eleven the great Cathedral was packed and everyone was in his place—or at least, so far as the Di-

plomatists were concerned, as nearly so as Sir Wm. Colville, who arranged it, would let them be. He put Jannis, the ace of spades Haytian Minister, up in the stalls, alongside of Baron de Staal and his wife, in seats specially reserved for Ambassadors and Royalties. So pretty soon he and his white wife had to be called down and put in lower seats. Then he put the Duchess de Mandas in a seat alongside of me, which was reserved and marked for Princess Henry of Battenberg, and when she arrived the Duchess had to go down, which was quite mortifying. The music was very grand—especially the Te Deum, which was truly wonderful. I drove General Wood down, but Mrs. Wood was in bed with a quinzy sore throat, which was very disappointing. The General seemed much impressed with the fact that yesterday I was the only Ambassador who was greeted with applause—once at Temple Bar, and again as we entered Guildhall. * * *

PAPA."

(October 28.) " * * * The King held a very brilliant review of the Guards this morning but I did not take the trouble to go or even to ask for tickets.

"Mrs. Chapin and her husband are at the Hans Crescent Hotel for about two weeks on the way to South Africa, and she wants very much to see you and Mabel before she goes. And that by the way reminds me of Alfred Lyttleton with whose wife she became so thick. He finished his job in Newfoundland, pocketed his fee of £2400, went to Boston and Harvard and was perfectly fascinated with both, thinks Harvard the greatest educational establishment in the world. It's a great pity that more responsible Englishmen don't go over. * * *

J. H. C."

In his letters to his son, who was starting in the practice of law in New York, there are detachable portions that are applicable to all young men undergoing that experience. Thus he writes on November 26, 1902:

"DEAR JO:—

" * * * We are all much interested in your accounts of your labors at the office—especially your pursuit of witnesses, a fine discipline for you as well as for them. I remember doing a lot of that sort of work myself. You can't see just how it helps you, but it does all the same. Every lawyer ought to know how all the work should be done from the bottom up. * * *

FATHER."

On the 11th of November he wrote to Colonel Hay, mentioning an application for leave of absence in 1903, "my purpose being, always with your approval," he said, "to be absent on leave for sixty days, more or less, from the 8th or 10th of December." Parliament, he said, would take a recess from about the middle of December to the middle of February, and there would be no time at which there would be likely to be less to do at the Embassy.

Agreeable to this plan he started off early in December, and made with his wife and daughter and his secretary, Mr. Woodward, a journey to Greece and Egypt that was in all ways fortunate and happy.

President Roosevelt and Colonel Hay so much appreciated Mr. Choate's high competence and value as a lawyer that they wished him to be counsel for the United States before the tribunal to which the Alaska Boundary case had been referred. As to that he says, on the 28th of February, to Colonel Hay:

"I received night before last your letter of the 17th. It at once occurred to me that there might be an incompatibility between my position as Ambassador and my acceptance of a retainer as counsel to conduct and argue the case before the Tribunal against the British Government to which I am accredited, and twenty-four hours' reflection has made me only the more doubtful of the propriety of my so doing. An ambassador seems to be regarded as standing in the shoes of his sovereign, and the diplomatic world and the British Government might regard it as derogating from the sovereign's dignity and character for him to step into the forensic arena in this way and besides, and more important, as counsel I might, and probably should have to say things about Canada, and possibly about Great Britain which might not be acceptable coming from an Ambassador. Counsel conducting a cause ought not to be under the same restraints that rest upon an Ambassador.

"At any rate I think I ought not to accept the appointment as counsel without advising Lord Lansdowne in advance lest he might say hereafter that he would have treated with me differently concerning anything referring to the Alaska boundary matter if he had known that besides being Ambassador, I was also the retained counsel against Great Britain.

"Thinking that these points have probably not occurred to you or to the President, I have sent you today a cipher cable, of which I enclose a copy. There certainly can be no difficulty in finding an abundance of adequate counsel. In my cable I have suggested Mr. Spooner, who would be admirable, and as it would all be in the recess of the Senate, I should think it would be a great advantage to him; and Mr. Root who knows all the

leading lawyers in America can easily give you the names of others.

"In any event I will give all the assistance in my power to our side of the case, and it might be advantageous to have others as counsel, with me in the background to advise and aid, as I probably could, and as I should of course be expected by the British Government to do.

Very truly yours,

JOSEPH H. CHOATE."

"6 March, 1903

"DEAR COLONEL HAY:

"I have just received your White cipher cable in answer to my two, in which you say: 'Your two telegrams received. The President and I do not agree with you, but we shall of course not impose on you a distasteful duty,' which I accept as an acquiescence in my opinion, which you read between the lines of my telegram, that I ought not as Ambassador to undertake the added office of counsel to argue before the Commission the case of the United States against Great Britain. It is only in that sense—of doing two incompatible things—of doing as Ambassador what I ought not to, and what in my judgment the whole diplomatic world would condemn, that there is anything distasteful to me about what you propose. I am sure that both you and the President know me well enough to accept my assurance that I should otherwise have taken the greatest delight in such a service. I should not only have enjoyed it very much, but should have considered it the crowning honor of my long professional life. So, I am sure that you will not regard me, for you cannot justly regard me, as shirking or shrinking from a duty. Ever since I came here in

March, 1899, I have been in more or less constant communication with the Foreign Office in the discussion of this Alaska case, in endeavors to settle it, and in the argument of all the questions essential and incidental involved in it. My first private letter to you of May 19, 1899, shows how fully I was immersed in it from the start, and it was only just before the receipt of your last letter proposing to me this service as counsel that I was trying to get from Lord Lansdowne the report of Col. Cameron in 1886, the inventor of the Canadian claim, and who by the way I found was a son-in-law of Sir Charles Tupper. All this communication and intercourse was in a way necessarily confidential. It was under the seal of my diplomatic relations of my office of Ambassador. It brought me into relations first with Lord Salisbury and afterwards with Lord Lansdowne of a very confidential character, which they would never have thought of holding with me if they had supposed that I should afterwards appear in the rôle of counsel for the United States against Great Britain in this very case, and I cannot but think that they would feel justly aggrieved on the part of their government if after all my dealings with them I should so appear. And how could I expect to receive their full confidence again after such —I will not say a betrayal, but a disregard of what they had formerly given me? It is quite clear to me too that such a position would not only impair my own subsequent usefulness, but would seriously impair that of any subsequent Ambassador here who was also a lawyer. Assuming that I am better qualified than any other lawyer to argue the case, a very considerable part of my qualification would come from these long continued, confidential diplomatic dealings with the representatives of

the British Government about it, and, as it seems to me, the highest consideration of international duty forbids me to make the proposed use of qualifications so acquired to argue the case. Wholly apart from the special considerations growing out of my long diplomatic relations to the case, there is, I think, an obvious incompatibility between the office of Ambassador and that of counsel retained to argue a case before a judicial tribunal on behalf of his own country against that to which he is accredited. The two services are absolutely distinct, and for exercise at the same time, quite inconsistent. Counsel so employed ought to be absolutely free to say whatever his duty to the case requires him to say, so in this case against Canada or against Great Britain, and it might be quite possible that he would have to say things that would hurt or wound the susceptibilities of those constituting the Government of the adverse party, and make him altogether a *persona non grata* with them. There is also a technical inconsistency between the two offices. The ambassador represents his sovereign in a special sense, and his intercourse with the Foreign Office is with the representative of the other sovereign on an equal footing, but when he goes into the judicial arena as a combatant, he meets an adversary who has not the same representative character, and must expect to give and take a very different kind of blow. It is on this ground that I believe that no sovereign in Europe would permit his ambassador in Great Britain, being also a lawyer, to go before a judicial tribunal to argue his case against Great Britain, and our Republic should be just as jealous of the dignity and strict propriety of its diplomatic representatives' conduct, as the proudest monarch.

"I think that considerations such as I have now pre-

sented account for the fact that although many eminent lawyers have been employed as ambassadors and ministers, there is no precedent for such a representative accepting or being vested with the additional office of retained counsel to argue before a judicial tribunal the case of his own government or country against the country to which he is accredited, and that, whether the same case has been in his hands as a subject of diplomatic intercourse or not. I do not believe that under any circumstances Great Britain would have permitted Lord Pauncefote, who was also a lawyer of repute, to go professionally before any judicial tribunal to conduct a case on her behalf against the United States while he was accredited there as her Minister or Ambassador, least of all to present there a case which he had been for years conducting in his diplomatic capacity confidentially with the Secretary of State, and I think that her Government would naturally and justly apply the same standard to us and to other nations, and would reasonably take umbrage, although they might never express it, if I after four years of diplomatic dealings in which they had uniformly treated me with the utmost confidence, took charge of the same case in court as counsel against them, in which service I could not forget or strip myself of what had come to me in the confidence of the Foreign Office.

"But there is a service in the case of large value which I can properly render, and which the British Government would naturally expect me to render, and that is to aid and advise and support the efforts of the counsel who shall be retained to try the case before the Commission, to the full extent which the Foreign Office will advise with and support the law offices of the govern-

ment who will conduct it against us—and this service I intend most conscientiously to give. With such adequate counsel for the United States as you will employ, I can render almost as effectual aid out of court as I could in, and this I intend to do. To this end I have begun a careful study of the case with such materials as are at my command here, and shall from time to time communicate with General Foster and give him all such aid as I possibly can, as you requested in your letter of February 17.

"I shall much regret it if after full consideration of what I have said, the President and yourself are still unable to agree with me, but you will at any rate give me the credit of conscientiously weighing the matter and deciding it according to the best of my lights.

Yours very truly,

JOSEPH H. CHOATE."

Mr. Choate was the guest of the Society of the Pilgrims on March 3, 1903, and was a speaker, a little later, at the dinner of the Institute of British Architects.

To His Wife

"American Embassy, London.
16 May 1903.

"I have been struggling hard but without much success to get along without you but have not succeeded very well.

"My lecture went off very well, and to my great surprise I had a very sympathetic and interested audience. The newspapers could not make much of it. It was a

hard thing to condense for I had already struck out every superfluous word. Even *The Times*, which tried hard, failed on that. * * *

J. H. C."

The lecture he speaks of was an address delivered before the Political and Social Education League, May 13, on the Supreme Court of the United States. It is included in the volume of his "Addresses" selected from those he made in England.

Another address, not so long, but included in the same volume, was that on Ralph Waldo Emerson, which he made a month later (June 18) at the Passmore Edwards Institute at the unveiling of a bust of Emerson. Besides these two addresses he made two more that year: on Education in America, August 1, and on Franklin, October 23, which the same book contains.

To His Daughter, in New York

"American Embassy, London.
20 May 1903.

" * * * What have I been doing since Saturday? Well, Mr. Phillips and I spent Sunday at Battle Abbey, and had of course a delightful time inquiring into antiquities, which the Graces seem to care nothing about, but fortunately Sir Augustus Webster, the owner, came to lunch and was able to tell us a good deal, and to put his foot on the very spot where King Harold fell. Imagine my delight! * * *

"Last night Mrs. Adair had a nice party and 'varieties' to meet the Prince and Princess of Wales, and in the afternoon I went down to help them open the Sailors'

Palace. We drove eight miles through solid London to reach the place at Limehouse.

"Today at the Lord Mayor's lunch I met that tall Prince Andrew of Greece, who sat next to your mother at the Egertons' dinner. He is here to marry one of the Battenberg princesses."

He wrote Colonel Hay in April:

"I have your letter of April 3 and am deeply touched by the high appreciation which you are kind enough to put upon the service that I might have rendered, if I could have conscientiously undertaken to act as counsel for the United States against Great Britain in the Alaska boundary case, but you hardly seem to consider that I based my objections not on personal, but purely upon public grounds.

"I think that I must, with your approval, unless some public question intervenes or threatens to prevent, go to New York to attend my son's wedding, which takes place at Albany on June 6th, and I have accordingly secured my passage for the 27th of May and to return on June 9th; giving me a week on the other side.

"But I want very much to see you and the President to talk with you about the Alaska case, the situation of which on this side I am not sure that you fully understand. I mean of course if you desire to see me about it, and I might be of some service to General Foster in regard to the counter case which will then be in course of preparation.

"And if for these purposes it will be more convenient to the President and yourself that I should come a little earlier or return a little later, I shall be obliged if you

will let me know. I do not wish to be absent at this time longer than may be necessary."

The plan thus arranged for was carried out, and Mr. Choate was present with his wife and daughter at his son's marriage to Miss Cora Oliver on June 6, at Albany.

Mr. Choate's letters to Secretary Hay begin again on June 17, which means he had got back to London by that time. He stayed there, more or less diverted by week-end visits, through the summer.

On August 1, he made the discourse on Education in America, that is described in the book which contains it as an "inaugural address, at the opening of the summer meeting at Oxford."

"1 Carlton House Terrace.
Sept. 1, 1903.

"DEAR MABEL:—

"Mama has been good enough to do the writing, while I have been so busy. The fact is that going out of town every Sunday makes the week too short for anything, and I should not consent to it many weeks in succession. How the regular London man accomplishes anything with such constant breaks—52 in the year—passes my comprehension. Perhaps it accounts for the inefficiency which we hear so much complaint of.

"But we did have a capital time at Maiden Bradley with the Somersets. They are splendid people both of them—far and away in advance of the Smart Set, and know how to make their friends welcome. It is a charming old house about as large as our own house at Stockbridge so that they can have but few at a time. But Count and Countess Hayos and their daughter Camilla, the 'baby' as they call her, were there and we found them

delightful, especially the latter with whom both the Duke and I fell very much in love. In fact when the Duke sat with her by his side on the box I thought we were in very great danger for he kept his face down under her hat so constantly that the horses might have run away with us without his knowing anything about it. She has sent me her book, which I am going to read. I hear it shows a great deal of talent. * * *

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
Saturday Evening. Sept. 19, 1903.

"I wrote Mabel yesterday about Mimsy's return. Since he came back I have tried my best to make him tell where he had been or what he had been doing, but couldn't get a word out of him, though I put him many questions that required a categorical answer. This morning he fairly glued himself to me so that I could hardly move a step—and when I got into my bath so that he couldn't 'yub' he really did 'yowl.' I think he was glad to get back. * * *

"The only amusing one in the whole Alaska group is Dickinson who tells a good many droll stories, among them one new one about the Pilgrim Fathers. An ante-bellum Southerner was asked by an Englishman, if anything could possibly have prevented the Civil War. 'Oh, yes' said he 'there was one thing.' 'Well! what was it?' 'Why,' said he, 'if Plymouth Rock had landed on the Pilgrim Fathers, instead of the Pilgrim Fathers landing on Plymouth Rock, we should have had no war.' Very true, and a great tribute to the Pilgrim Fathers. * * *

J. H. C."

"American Embassy, London.
22 Septr. 1903.

"DEAR JO:—

" * * * I have always said that clerks in law offices are divided into two classes, those who *do* what they are given to do, and those who come back with a very plausible reason why they haven't done it, and I want you to belong to the first class—but it will involve a good deal of self denial, and postponement of pleasure. * * * "

(September 23). " * * * Of course there is a good deal of drudgery and what seems very small business in getting your foot on the bottom round of the ladder, but there is no other way up that I know of, and you will find it to pay in the end. And it's really nothing compared with the privations to which the young officers submit who want to get on in the Army. * * *

FATHER."

To His Wife

"1, Carlton House Terrace, S. W.
24 Septr. 1903.

"I must write you a line today of all days—for our Ruluff would have been 39 years old this morning—an incredible age for a boy of ours. But he will always be the dear boy of almost twenty that we lost. But what a pillar to lean on he would have been by now. * * *

"By the way, Fred tells me that Theodore who is now 75 or 76 receives $500 & a house from the College as Emeritus Professor, and is too blind to do anything. It occurs to me that if you intend to give him the full benefit in his lifetime of the little fund you still have

from his mother, you might make him an allowance out of it, assuming that he will live five years, say—one fifth of it each year; and if he and we outlive that, and he needs more we can help him out. Fred says he is patience itself. * * *

J. H. C."

To the Same

"American Embassy, London.
3 Octr. 1903.

"What makes you think I don't half read your letters? I devour them and am always very hungry for more.

"I was just sitting down to write to you last evening when Lady De Grey, who had just arrived from Davos with Lady Herbert came to see me—of course, in great distress—to get me to advise and help her about the funeral arrangements of her brother Sir Michael. She could only persuade Belle, that is, Lady Herbert, to go down to Wilton and be quiet by promising her to come to me. I think they must have had a hard time at Davos, for his one absorbing idea was to get back to America where his heart and his duties were, and you know how frightfully exhausting death always is to all but the one who goes happily to sleep—and after his last hemorrhage his heart began to fail and he fell asleep without any idea that he was dying, of which they were all very glad. But to go through the sad scene and then rush off all the way from Davos to London was very hard, and I was so sorry for them that I was glad to do for them what little I could. I saw Lodge and proposed that as the funeral was to be on Tuesday, the Alaska Tribunal should adjourn for that day, to enable all its members to attend the funeral at Wilton, which the family wished very much,

and we got up a telegram to Lord Alverstone at Cranleigh who proved to be of the same mind and I was able to inform her of that this morning. Of course that dispenses with any memorial service in town, as London is now so empty that there would be nobody to attend it.†

* * *

"Tell Mabel that between fifty and seventy is a very dangerous period for spinsters and they are more than likely to marry themselves into trouble.

"I haven't written you about my dinner of Thursday for the Meyers. After their great hospitality to us in Rome, and all that, I couldn't think of letting them spend a week in London without taking suitable notice of it. The dinner went off very well indeed, and proved to be quite a sociable and jolly affair. I had a round table for twelve at the alcoved end of the big restaurant at the Carlton, where it fitted in very well and was out of the way of other people, and as they all knew each other it went off well. Mrs. Root, unfortunately, was ill with a cold and unable to come, but Edith almost made good her place, and the other five ladies were Mrs. Meyer and Mrs. Lodge who sat on my right and left—Mrs. Witherbee, who is most agreeable and handsome too, and Mrs. Herbert Harriman, sister-in-law of Mrs. W. K. Vanderbilt, whom Billy Phillips told me about, and I made bold to invite her. She had just had a tooth pulled, but she accepted with alacrity, and perhaps was all the more lively for that, and Mrs. Newbold whom you know made the sixth—all attractive women, and Mr. Carter made the sixth man, and he is everybody's favorite. We

†Sir Michael Herbert was British Ambassador to the United States, and had signed with Mr. Hay the convention under which the Alaska Boundary Tribunal, then sitting, was created.

sat at the table till half past ten, instead of going out into the front hall for cigars & coffee, which I think is rather a trying place. * * * "

(October 5.) " * * * I have heard nothing more from Mr. Balfour except that he told Mr. White that he had told me we could have the house. But his life lately has been so full of difficulties that he probably hasn't had time to think of it again. The new Cabinet is coming out tomorrow, but I don't think that will end his difficulties. However, he takes things very easily and probably looks forward without distress to a vacation before long. * * * "

(October 6.) " * * * I am off in a few minutes to Wilton to attend Sir Michael Herbert's funeral. There is to be a memorial service after all, by order of the King, but I thought under all the circumstances that I should go to Wilton as Lady Herbert so much desired it. * * * "

(October 10.) " * * * The political campaign is already getting hot here, as you may believe when Lord Spencer last night denounced Mr. Chamberlain as a reckless and unscrupulous opponent—and Mr. Ritchie addressing his own constituents at Croydon, was interrupted from beginning to end of his speech by an unruly audience. * * * "

(October 15.) " * * * We were all disgusted with Lord Rosebery's way of speaking of the President in his speech at Sheffield."

(He spoke of him as "Teddy.")

(October 16.) " * * * I must write you a line today of all days in the year. Do you remember everything or anything about the 16th of October 42 years ago? Forty-two years would have seemed a long way to look forward, but how swiftly it has flown! On the whole we have been greatly blessed—and have a very great balance of good to be thankful for. * * * "

"1 Carlton House Terrace.
19 October 1903.

"DEAR MABEL:—

" * * * It looks as if the Alaska Boundary case was to be decided today or tomorrow and largely in our favor. At least the *Associated Press* has so reported to America, and today's papers are full of it. But I know nothing about it, and shall not be sure until it is officially announced. There is many a slip betwixt the cup and the lip, and the sessions are absolutely secret. * * *

"Today I presented to His Majesty our three commissioners—Root, Lodge and Turner—a brief and formal function. He received us very pleasantly and looks in excellent health. * * *

PAPA."

To His Wife

"1, Carlton House Terrace, S. W.
19 October 1903.

" * * * To answer your other questions, I don't think Lord Rosebery meant to reflect upon the President. What we objected to was his calling him 'Teddy' in a public speech. * * *

"If the Alaska Boundary is settled the way the papers say this morning, it will be, I should think, satisfactory to all Americans, but the Canadians may grumble. How-

ever, I have always believed that they know they had no case. What they wanted was to get a port, on that coast, to which they had no right, and in that they have been successfully baffled, if the decision comes out as it has been foretold. * * *

"Yesterday I walked Mr. Hardinge to Jordan's to see Wm. Penn's grave and the little Quaker meeting-house close by, and then a long stroll through the country back to Beaconsfield. Mrs. Hardinge is one of the Queen's women-in-waiting and I found her very attractive. She has to serve two weeks at a time twice a year, and when at Sandringham they make a part of the family and enjoy it very much. But at Buckingham Palace the Royal Family dine, etc., apart up stairs, and the 'Household' below & she doesn't enjoy it so much, especially as she has to go home at night. * * *

J. H. C."

"American Embassy, London.
20 October 1903.

"DEAR MABEL:—

" * * * We are all a little excited today over the announcement of the decision of the Alaska Boundary Commissioners giving us our main contentions, and at the same time giving Canada more than she was entitled to. It is happily all over, and though the Canadians may grumble a little while, I think they will rejoice with the rest that it is all over. It has run along now for fifteen years in one shape or another and stood in the way of settling other matters.

"Now, all the Alaskans scatter. The Lodges and Turners sail tomorrow and the Roots on Friday of next week. * * *

PAPA."

"American Embassy, London.
21 Octr. 1903.

"DEAR JO:—

"I sent you by Mrs. Lodge who sailed today and was kind enough to take it, Morley's Life of Gladstone, which is a great book about a great man, and I hope you will enjoy it. We are all rejoicing over the end of the long-drawn Alaska Boundary case. What I always contended for was fully sustained, and the Canadians got all they were, as I thought, entitled to and more. * * *

FATHER."

To His Wife

"Randolph Hotel, Oxford.
Monday, 26 Oct. 1903.

" * * * My Birmingham experience was most successful—a great audience very sympathetic and responsive. I think the address well timed, as the English people generally—including the best informed—have but little appreciation of Franklin. He was far too democratic to suit the titled classes, but at Birmingham they seemed to take him in at once. * * * "

The occasion of the address on Franklin was the annual prize distribution to students of Midland Institute at the Town Hall, Birmingham, on October 23.

"American Embassy, London.
28 October 1903.

"DEAR JO:—

" * * * I beg you not to be discouraged about the work or want of work at the office. As soon as they realize

that you are always on hand and eager to be useful, they will put upon you all that you can do. And although at first the matters entrusted to you will appear trifling and worthless which any boy might do, they will soon come to be more important. I went through the same ordeal of trying to make myself indispensable to a big office, and I know how it tires one's patience, but as I said before, it will pay in the end. * * * "

(November 3.) " * * * I see that the Canadians are still fretting over the Alaska decision, but they were very fortunate in getting so much, and their irritation will soon I think give way to great satisfaction."

To the Same

"American Embassy, London.
27 Nov. 1903.

" * * * I send you cuttings from today's *Times* and *Telegraph* about our Thanksgiving Dinner last night. From the two together you can gather a fairly good sketch of my speech, although both are much condensed. Mr. Bryan's I am sorry to say is not well reported. He spoke for nearly half an hour, a very finished oration, delivered most artistically, and made a decided impression. He is also making a favorable impression here personally. I had him to lunch with Mr. Balfour and others and they liked him very much, and he was at Mr. White's next day with Lord Rosebery, Ld. Salisbury & others and they liked him & think much better of him from having seen and known him. * * *

FATHER."

To the Same

"American Embassy, London.
29 Decr. 1903.

"We were all delighted with your letter of the 15th giving an account of your experience in the case of the Broad Exchange Co. It was very jolly in Mr. Sprague to give you such an opportunity, and it is quite evident that you seized it in a becoming spirit. * * * I remember well the first time I was allowed by B. E. & S.* to argue a case in Court. It was a little case in the Superior Court General Term, and I very nearly funked. But they soon gave me another chance in a Jury case, to defend an ejectment suit (Smith vs. Bruen). I was there saved by the skin of my teeth. The plaintiff's counsel having opened, I moved on the pleading *and his opening* to dismiss the complaint, and the Judge (D. P. Ingraham) being pleased with the audacity of such a stripling, and being always desirous of getting rid of a case on the easiest terms possible, granted my motion. There was no great merit in the performance but it quite set me up with that particular client and with the office. But you seem to have been put forward for the last encounter in a case of some importance with a leader of the Bar—who must have recalled many contests with me. * * *

FATHER."

The incorrigible optimist breaks out in his letter of January 27, 1904, to his daughter:

"Every day," he says, "makes me more confident that this horrible War threatened between Russia and

* Butler, Evarts, and Southmayd.

Japan will be avoided. They must and will find some way out of it—some other way. * * * "

But it was a case of confidence misplaced, as he admits in writing to her on February 10:

" * * * This horrid war so long threatened has begun at last, and I'm afraid it will be a long and bloody one. Russia has great staying powers and the Japs are full of indomitable spirit. Let us hope that no other Nations will be drawn in."

His diplomatic correspondence in these early months of 1904 was much concerned with the war and things growing out of it, including matters relating to China. He speaks of being more than usually busy, for which it helps to account that he had two addresses of more than usual consequence to prepare and deliver. One of them he made at the centenary of the British and Foreign Bible Society in London early in March, the other on March 19 at Edinburgh. Along with Doctor Payson Ingersoll, Corresponding Secretary of the American Bible Society, Mr. Choate was delegate and representative of the American Bible Society at the centenary meeting. He appeared therefore in a double capacity, both as delegate and as Ambassador. When he came to speak he first read to the meeting a message of congratulation from President Roosevelt. He then read a letter from the President and Secretary of the American Bible Society, which was the credentials of Doctor Ingersoll and himself, and went on as follows:

"I was going to say that the American Bible Society is your own offspring, but, inasmuch as you yourselves

were only twelve years old when it came into being, I must regard you as our elder sister, and our elder sister it was who showed us the way, who encouraged us in our small beginning, who sent us a grant of five hundred pounds from her treasury to start with, which was a tremendous help in those days, and who has ever since been leading the way which we have been glad to follow.

"Let me say one word more about the American Bible Society. Like yourselves, it has had its struggles and its triumphs. Like yourselves, it has an immense work on hand. Like yourselves, it finds the demand far greater than the supply that it is able to furnish. It is no small undertaking to keep eighty millions of people supplied with a Bible in every house, and that has been their ambition. And then they have to meet about eight hundred thousand immigrants from foreign lands every year as they land in New York and other parts of the country, and I am sorry to say that they are not always provided with Bibles, and the Society has to take care of them. But with all that, I think its records will show, as in the past, that now and in the future it can be relied on to do almost as much for foreign lands as it does for its own people at home.

"Now this great harvest which this centenary demonstrates, is only, after all, what has grown up from the little seed which, nearly three hundred years ago, your fathers and our fathers united in planting in the distant wilderness. When the Pilgrim Fathers embarked in the *Mayflower* in 1620, and when, eight years afterwards, the great Puritan immigration from old England to New England set in, they carried with them, our fathers and the brothers of your fathers, carried with them, as their best possession—in fact the only one which was to have

a lasting value—King James's Bible, upon which their infant state was built. It was their only book—their only readable book. I have read catalogues of the books which some who were best off among them had, and the Bible was the only readable book, and that was readable by every man, woman and child. It was the ark of their covenant, and, really, they did find, within those sacred covers, their shelter from the stormy blast and their eternal home. Their faith was founded upon it, and having no other book, you can realize how there they stood to find, not their religion only, but their literature, their biographies, their voyages and travels, their poetry, such as no poets have ever since produced, and that magnificent march of history from the beginning, and they searched and found in it the golden rule of life.

"I do not know that I can more forcibly bring before you how completely the Bible was their one treasure than by describing one of the few family Bibles that have come down from those days to ours—the only legacy that has reached the remote posterity of the family to which it belonged. It was read twice a day in every family by the head of the household, with all the members gathered about him, going in at Genesis and coming out at Revelations, the whole journey being accomplished twice every year between January and December. Dog's-eared?—that is a mild term to express its condition, for its leaves were absolutely worn away by the pious thumbs that had turned them. It was really the fact that New England, in its first generation, was the most biblical community on the face of the earth. Their laws, their customs, their language, their habits, were founded upon it, and in it they found their sole guide of life.

"Let me read a word from one of the greatest of their descendants, Phillips Brooks, that most noble product of New England culture, himself a true descendant of their blood. He said worthily of them (I could not begin to find language equal to his in point of expression): 'It never frightened a Puritan when you bade him stand still and listen to the voice of God. His closet and his church were full of the reverberations of the awful, gracious, beautiful voice for which he listened. He made little, too little, of sacraments and priests, because God was so intensely real to him. What should he do with lenses who stood thus full in the torrent of the sunshine?'

"Our New England fathers, with the Bible as the basis of their lives, realized that prayer of Erasmus, uttered one hundred years before they found foothold upon Plymouth Rock,—a prayer which it was often dangerous to breathe in those early days: 'I wish the Gospels were translated into the languages of all people, that they might be read and known not only by the Scotch and the Irish and the English, of course, but even by the Turks and the Saracens. I wish that the husbandman may sing parts of them at his plow; that the weaver may warble them at his shuttle; that the traveler may, with their narration, beguile the weariness of the way.'

"Well, our Pilgrim Fathers were exactly the kind of men that you might expect them to have been. I wish you would just imagine, for one moment, what our lives would be if, like them, the Bible were our only book. No newspapers, no weeklies, no magazines, no novels, no libraries, no school reading of any kind. I only hope that we, like them, would find our refuge where they so safely found theirs.

"In the days of their greatest poverty and distress, they founded Harvard College, in order, as they said, that the supply of learned and godly ministers might never fail, and they gave it a motto which holds to this day: 'To Christ and the Church,' and, what means the same thing, 'Veritas' (truth), and then they founded the great State of Massachusetts, which I shall not ask you for one moment to hear about. I can only say what Mr. Webster says of her: 'Massachusetts, she needs no eulogy. There she stands, behold her and judge for yourselves.'

"If you ask me what more has come of it, what other good things they founded upon the Bible, besides Plymouth Rock and Boston, I should say that a very large share of the good which has been wrought out in America from the beginning is traceable to their pious efforts, that if the common schools have found their way from the Atlantic to the Pacific; if slavery has been abolished; if the whole land has been changed from a wilderness into a garden of plenty, from ocean to ocean; if education has been fostered according to the best light of each generation since then; if industry, frugality and sobriety are the watchwords of the nation, as I believe them to be, I say it is largely due to those first emigrants, who landing with the English Bible in their hands and in their hearts, and assisted by men like themselves here in London, established themselves on the shores of America.

"Without detracting at all from the great part which has been contributed from other countries, we say that that little leaven has leavened the whole lump, and if you ask me what the signs of the leavening of the lump are, I point again to the work of the American Bible Society and its relation to that community. It is liber-

ally supported and encouraged by many ardent friends in every state and in every territory of the Union. I point to the fame and influence which it has acquired throughout the land. I point to the millions of dollars which it is gathering in for this pious use, and to the scores of millions of Bibles which it has distributed, on the principle always of the whole Bible for the whole world, to all but the poor at cost, to everyone of the poor without money and without price.

"And now, before I sit down, I should like to make a claim for my country which may be a little surprising to this audience, and that is that one of the first translations from the English text of the whole Bible into a heathen language, was made in the earliest days of Massachusetts with the great aid that was sent over to us from London. There came over to us in 1639 a poor clergyman from Jesus College, Cambridge. There he had been distinguished for his studies in theology and for the study of languages, and when he came to America he made himself busy in connection with that peaceful, harmless tribe of Indians who made their home in Massachusetts, and tried to teach them the word of God. After he had learned their language, and it took him about twelve years to learn, he sent over a cry for help, and he got a response. The same cry and the same response has been going on to this day: 'Can we to souls benighted the lamp of life deny?' What was the response? Why, Parliament, consisting then only of the Commons, I am sorry to say, organized a society entitled 'The Corporation for the propagation of the gospel of Jesus Christ in New England.' And the preamble of the act passed in connection with this society is a very remarkable one and shows how interesting was the rela-

tionship which our ancestors bore to the Indians to whom they held out the hand of fellowship. Here it is:

"'Whereas, the Commons of England have received certain intelligence by the testimonial of divers faithful and godly ministers in New England, that divers heathen natives of that country, through the blessing of God, upon the pious character and pains of some godly English of this nation, who preached the gospel to them in their own Indian language, who not only of barbarous have become civil, but many of them, forsaking their accustomed charms and sorceries and other Satanical delusions, do now call upon the name of the Lord—with tears lamenting their misspent lives, teaching their children what they are instructed in themselves, being careful to place their said children in godly English families and to put them to English schools, betaking to themselves but one wife and putting away the rest, and by their constant prayer to Almighty God morning and evening in their families, expressed to all appearances with much devotion and zeal of heart; therefore,' etc., etc.

"Therefore the Commons established this corporation to raise a fund in England for this purpose, and by their apostle John Elliot, completed, as early as 1663, or one hundred and forty years before the foundation of the British and Foreign Bible Society, a complete version of the Bible in the Algonquin tongue. Probably there is not a man now living who can read a word of it. Certainly there is not a vestige of the tribe for whom it was written, but it is a grand monument for its author, and it pointed the way for this Society and for the American Bible Society.

"I cannot take up any more of your time. I only wish to ask, What is it that we are working for as societies? Each for its own interest primarily, but, next to that,

we have a greater and a further mission, and that is to promote and advance the cause of civilization, of order, or religion, of peace and of duty. I believe that such occasions as this go far in the accomplishment of that mission. How far, then, is it possible to make these two great nations policemen to keep the peace of the world? Some rely upon armies and on navies, upon armaments and gunpowder and lyddite and dynamite as the best guarantees of the preservation of peace, but sometimes these things explode when least expected. Others rely upon the slow and tortuous processes of diplomacy, but diplomacy sometimes fails, as we have had illustrations lately.

"I believe, and I think that the British and Foreign Bible Society and the American Bible Society unite in that belief, that the only sure guarantee of peace is the moral influence of public opinion. Let each nation and the people of each nation give their governments to understand that they are for peace and there will be no war. I believe that if these two nations which you and I represent were to set the example, the other Christian nations would follow. Nothing could withstand such a weight of public opinion based upon this book, which speaks always to the world for peace and good will, 'peace on earth, good will to men.' I believe in co-operation in good work, in every good work possible, between the people of our two countries. Why should we not co-operate in all good work, we who have one God, one Bible, one language and one destiny?"

He writes to Colonel Hay on the 11th of March:

"If nothing turns up to make me think I ought not to do so, I expect to go away for the Easter holidays,

leaving Mr. White in charge from about the 23rd or 25th of March to the 17th or 18th of April. I have been in charge uninterruptedly since the middle of June and should like to get a little sunshine and fresh air.

"It seems to me that your note and the responses to it have done all that is likely to need to be done on our part at present, and it has been so successful that everyone feels that you have done a great service in the cause of the neutrality of China and of ultimate peace without a dismemberment of that great empire. I cannot foresee what questions may arise in the next few weeks unless it be an occasional question of contraband in coal or provisions, as to which we are not yet in possession of the exact declarations of Japan or of Russia, the latter of which seems disposed so far as we can learn to make the inclusion of both of those articles in contraband more general than has heretofore been allowed.

"I told Lord Lansdowne on Wednesday that unless he had reason to expect important events in the Easter holidays, I should go away, that the last time I went under the assurance that nothing was going to happen, I had hardly got away before he began to raise a bobbery about Venezuela and kept it up for two months, and I hoped that if he had anything like that up his sleeve now he would let me know and I would not go. He said he hadn't and thought there would be nothing important, possibly occasional questions of contraband. He said there was absolutely nothing in the current rumors of Russia asking for mediation, that that was quite impossible. He said that he could not learn that Russia had yet established any prize courts in the East, but I don't see why she may not do so when necessary at Port Arthur or at Vladivostok. However, I shall not go farther

than Biarritz, and if anything important does turn up I can return to London in twenty-four hours."

He writes his daughter, March 16:

"It now looks as if we should get off for Biarritz on the 25th to be gone for three weeks—in search of fresh air and sunshine as you say. Meantime on Saturday next, the 19th, I am off to Edinburgh to deliver my address on 'Alexander Hamilton' that evening, and to receive the freedom of that famous city on the 21st. I am afraid the three days will be very full of junketing but I don't see how that is to be helped. * * * "

Of his adventures in Edinburgh, including the unavoidable junketing, to which he seems to have taken quite kindly, he writes:

"American Embassy, London.
23 March 1904.

"DEAREST MABEL:—

" * * * 'Gian' seems to be a little under the weather —got off from a dinner last night at Lady Margaret Douglas's on the plea of a cold, as did also W. Phillips on the same ground. However she has herself a big dinner tonight to which we were all going, but W. P. has again to beg off being in bed with his cold. The fact is that he is not as tough as I am, especially when it comes to junketing, of which we had a great deal in Edinburgh. We arrived at 6:15 on Saturday evening, and after a hasty dressing and a still more hasty dinner we went to McEwen's Hall to deliver my address. The Hall held nearly 3000 people and was packed. The stu-

dents—the very same who abused the Attorney General and the Prime Minister so outrageously a month ago when the A. G. went to be installed as their Rector—behaved this time like buttered angels, listened most devotedly as did everybody else, and I had no reason to complain of the reception which all hands gave me and what I had to say. Then there was a students' supper, which only adjourned at 12 out of the Scotch regard for Sabbath hours, and there I had to speak for 20 minutes—in a very different strain of course from that of my address in the earlier part of the evening.

"Hector Ferguson took the whole responsibility in Edinburgh with the utmost kindness and forethought. I stayed with his close friends the Rev. Dr. Whyte's—most lovely people as all his friends seem to be. Sunday of course we had a very proper day and some rest, but Monday we had to work very hard. At eleven I was taken through the Park and through two picture galleries. At one a luncheon at Dr. W's. with a lot of the choicest men of Auld Reekie, at 2:30 to the Town Hall to receive the Freedom of the City in a handsome silver casket, to which I had to respond in another 20 minutes speech, afterwards tea & cake in the City Parlor and another speech, then back to the Whyte's for an afternoon reception, this time mostly of choice women—the best in Edinburgh and of course I had to move about in lively fashion and talk to everyone; then at 6:45 to the Lord Provost's Banquet where my health was the principal toast, and I had to grind out a final half hour talk, which came rather hard. After all this, W. P. who had accompanied me through everything, was quite used up—couldn't sleep on the night train by which we returned so as to be in time for the Duke's funeral

in the Abbey—took to his bed yesterday afternoon, and still remains there, but promises to be up tomorrow, and right for Paris & Biarritz on Friday. I send you cuttings from *The Scotsman* of yesterday, giving a full account of the performances of the day before. The editorial pleased me very much, and the report of my speech is very accurate. Mama has sent you *The Scotsman* of Monday which tells all about Saturday night and gives the address nearly in full.

"I forgot to say that on Sunday evening Mr. & Mrs. George H. B. Hill gave us a splendid dinner which perhaps partly accounts for W. P.'s dilapidation. You remember them for we presented them a year or two ago.

"Thanks largely to Hector I look back upon my visit to Edinburgh with the greatest pleasure, my reception on all hands was delightful.

"The Duke's funeral at the Abbey was very grand. There were no ladies present except those of the Royal Family & the Lady Mayoress, and no diplomats except the heads of Missions. So even Mr. White, Mr. Carter & W. P. were excluded. The Ambassadors were in the upper stalls in the choir—three on each side, and Benckendorff sat in the lantern where the coffin was, with the other specials. The Queen and her daughters sat opposite me on the second row of stalls and the Princess of Wales and the others on the line of stalls directly in front of me, but they were all so heavily craped that it was difficult to distinguish one from another. The music was really magnificent, as even I could tell, and when they sang 'Onward, Christian Soldiers,' and the military band struck in with the great organ, and the whole congregation joined—well, really even the Stockbridge

choir in its best days could have gathered inspiration from it.

"Well, day after tomorrow we are off for Biarritz where we expect to stay two or three weeks. I have to be in Glasgow on the 19th & 20th to receive my degree there, or we might stay a little longer, and as it is, if Mama likes it, I may try to persuade her & Anna to stay a little longer. As usual she has been rooting and rummaging, turning over everything as if it were her final departure from earth, or at any rate from England—but she is very well.

"Mrs. Ladenberg lunched with us today—a good deal disturbed because they are trying to make her pay as a six months' resident in England the regular Income Tax. * * *

PAPA."

Of his address on Hamilton he says in the preface to his book of addresses in England: "Hamilton was comparatively unknown in England except to lawyers, scholars and great readers. There had been a recent rehabilitation of his fame in a fascinating work of fiction ('The Conqueror,' by Mrs. Atherton) which had been widely read in England as in America, but the real facts of the great work of that surpassing genius in upholding the arms of Washington in the war, in bringing about the convention of 1787 which made the Federal Constitution, in securing its adoption by the people, and in organizing our government under it, were not widely known and it was a great pleasure to tell this wonderful story to the students of the University of Edinburgh."

And the more pleasure doubtless, and the more suit-

able, because Hamilton was by derivation a Scotsman.

All of Mr. Choate's offerings of biographies of American statesmen—of Lincoln, Franklin, Hamilton—and of American political history, were much fresher to the British mind when he made them than they would be now. Only two years after his address on Hamilton came Frederick Scott Oliver's excellent book about him, which compared in popularity with Mrs. Atherton's novel.

"Hotel Victoria, Biarritz.
12 April 1904.

"DEAREST MABEL:—

" * * * Our room here is a bower of flowers which friends have sent in to Mama. We go sometimes to the Casino—dined there one evening with Cora, Lady Strafford and her new husband No. 3, who seems an agreeable man (of the North American Indian type). The gambling at the Casino looked very cheap and low, and is taken part in by very vulgar people. After the first novelty of it, it was a most loathsome sight. At the British Club here too they are said to play very high, and the common saying is that if you don't golf or gamble there is no room for you at Biarritz. But there are exceedingly nice people here. * * *

PAPA."

Coming back from the holiday at Biarritz, the Choates moved from Lord Curzon's house, which had served them so acceptably, to Mr. Arthur Balfour's, close by at 4 Carlton Gardens.

His letter-book for 1904 abounds considerably in re-

gretful notes, declining to be present and furnish discourse on occasions months ahead. "It is always practically impossible," he says in one of them, "to accept any invitation for six or seven months ahead because it interferes hopelessly with my freedom of movement." Besides that, retirement from office was taking form in his mind, and he wished to be free to get away when the time came and meanwhile not to be too much tied up to stated appearances.

Another class of letters contains this passage:

"Unfortunately the rules of the service in which I am engaged expressly prohibit me from making any recommendations to office. So you will not misinterpret my silence," etc.

Another thing that occasionally engaged his attention was the provision of British orators for distinguished occasions in the United States. He was consulted as to who was most to be desired, and who was most likely to be willing to come.

Frequent in his diplomatic correspondence of this time are letters to Secretary Hay relating to the concerns of China and the protection of Chinese interests against encroachers, and recording his labors to promote the policy of the Open Door, the final acceptance of which by the European powers is one of the chief glories of Mr. Hay's service as Secretary of State. To negotiate the Hay-Pauncefote Treaty, the Alaska Boundary settlement, and the agreement about the Open Door in China, and win acceptance of his achievements from the Senate, cost Mr. Hay his life, as similar efforts fifteen years later so nearly cost the life of Mr. Wilson.

"The thing that has aged me and broken me up," said Secretary Hay in a letter of this time to Nicolay, "has been the attitude of the minority of the Senate which brings to naught all the work a State Department can do." So a long letter from Mr. Choate to Colonel Hay, dated December 23, 1904, about adding bribery to the list of crimes provided for in the Extradition Treaty, winds up with this remark:

"Perhaps you will think me too fussy on such an infinitesimal point. I hope you will. But I know how easy it is for a small minority in the Senate to object to a Treaty with England of any nature, and I have even seen that one very innocent Arbitration Treaty may be opposed, and I thought it best to be on the safe side."

The letters that follow tell their own stories.

To President Eliot

"4, Carlton Gardens, S. W.
3 February, 1904.

"My Dear Eliot:—

"In looking over the College Catalogue—which is my frequent study—I was surprised and not a little disappointed to find that a man who has rendered such long and good public service as Senator Lodge has never received the degree of LL.D. from his Alma Mater, although several other colleges have conferred that honor upon him—colleges to which he was a stranger—and I could not help thinking that if the Corporation were to recognize him in that way at the coming Commencement, it would greatly please many graduates and meet with the general approval of all.

"He will have been out of college 33 years—a long period, most of which he has devoted to honorable public service, or to very creditable literary work. His lives of Washington, Webster, and Hamilton—and particularly his editing of the works of Hamilton and *The Federalist* are valuable, and he has cherished the literary spirit through all his political labors in a way that very few public men have done. You know all about his six years in the House of Representatives and ten in the Senate, and what personal weight he has acquired there by sheer force of talents and character. I think it may fairly be said that no man of his age and length of service in the Senate has acquired anything like the influence with that body and in the country at large that he now holds.

"I can bear personal testimony to the value to both countries of his services as a member of the Alaska Boundary Commission which lately sat in London. The result which removed from the sphere of controversy a question that might at any time have imperilled the good relations of the two countries was largely due to the tact, patience, and ability of Mr. Lodge and Mr. Root. I know that services of that character are highly valued internationally—and are generally handsomely rewarded by appropriate honors by the nation on whose appointment they are rendered.

"England has peerages and orders and honors of knighthood of various sorts to confer on Englishmen who perform such services on her behalf, and they are freely bestowed; but as we have nothing of the kind to give, it would seem that recognition by his own University would be an appropriate thing.

"I confess that I feel a little jealous of Williams and

Yale and Clarke that they have anticipated his own College in recognizing the merits of this distinguished son of Harvard. They have put it in such a position that now Harvard will be conferring more honor on herself than on him, by adding his name to the honorary list in her catalogue. I have never been very close to Mr. Lodge, and supposed that, like several other alumni of Harvard who have rendered similar but much less important public service, he had already been included in that list.

"During the two months that he was in London last year I saw him a good deal at short range, and learned to appreciate his merits much more truly than I had ever done before. It is only within the last two weeks that I found I was wrong in supposing that he had already been decorated in this way by the College, and I thought I would lose no time in writing to you about it, from my interest in Harvard College rather than, or more than, in Henry Cabot Lodge—and in the hope that a *casus omissus* might be promptly made good.

"To signalize my devotion to Harvard, and at the same time my long residence in London, I am putting a stained glass window by John LaFarge into St. Saviour's Church in Southwark where John Harvard was baptized —and in whose immediate neighborhood his early days before he went to Cambridge, were spent, and I may ask you to help me about an inscription. Though not critically accurate, may I not call him the 'Founder'? It is a grand old church, which has stood for 500 years and is good for 500 more. Thanks to you, the name of Harvard means more and more every year in England, and I thought it a good place to set up his shrine.

"I wish you could be here next summer to unveil it!

Isn't it almost time for you to come to England, and might I not hope for this some time this year?

Yours most truly

JOSEPH H. CHOATE.

"Hon. C. W. Eliot."

Harvard gave an LL.D. to Senator Lodge at Commencement in 1904.

"13 May, 1904

"DEAR RANTOUL:

"I have got positive promises from Henry James and James Bryce, and hardly less certain ones from Thomas Hardy, Mrs. Humphrey Ward and Andrew Lang, to send brief tributes to Hawthorne to be read and published as part of your proceedings.* I also asked George Meredith, but although he would have liked much to do it, he has been very ill indeed lately and cannot write at present more than to sign his name. So he asked to be excused. Having got such a full wreath of laurels for the occasion I think you will hardly need anything from me—and it would be a pity to mar the purely literary symmetry of the offering.

"I have advised them all of the change of date to June 27th.

Yours very truly,

"Hon. Robert S. Rantoul." JOSEPH H. CHOATE.

"6 June, 1904.

"DEAR LORD ROSEBERY:

"You have no idea how popular you are in America, or what a demand there is for your presence there. To-day's mail from the United States brought both of the enclosed invitations to you to attend great banquets there, one from the Chamber of Commerce of New York,

*At the Hawthorne centenary. He was born in Salem, July 4, 1804.

and the other from the New England Society of Brooklyn, with the request that I would forward them to you, and add my word of persuasion to you to accept them, which I gladly do. I need not say that both are organizations of the highest merit and standing. The Chamber of Commerce embraces in its membership all that is most important in the commercial world there, and the New England Society of Brooklyn is composed of leading men of that city, natives of New England, and the object of their organization is to keep alive the great principles of New England history.

"Both societies would regard you as their guest going and returning and at New York, and the New England Society hopes that you will keep its invitation under consideration until you receive a special call from a representative of the Society.

"I shall be glad to forward your favorable replies.

Yours most truly,

JOSEPH H. CHOATE."

On June 29 he was present at the anniversary festival of the Printers' Pension, Almshouse and Orphan Asylum Corporation and gave the toast. He talked about printers from Caxton's time down. He distributed prizes at the Crewe Mechanics Institution, and talked about railways and tenacity of purpose. He spoke eloquently and with feeling at the unveiling of the statue of Lord Russell, of Killowen, in the great hall of the Royal Courts of Justice. He was on hand when Mrs. Choate launched the big Cunard liner *Caronia*, and replied for her when her health was drunk.

On September 9 he wrote a message to independent voters, advocating Roosevelt's re-election, which was

reproduced in facsimile in the New York *Tribune* of October 24, as follows:

"A few words to Independents:

"I assume that every Republican will support Roosevelt and Fairbanks, and every Independent voter should do the same. President Roosevelt is the soundest and staunchest Independent of them all. The politicians cannot force his hand. He has seen to it that the laws of the United States should be faithfully executed, cost what it might and cut where it would, and that is his chief duty under the Constitution. His honesty, courage, intelligence and devoted patriotism have made his administration a signal epoch in our national progress and prosperity. His lofty character has commanded the wholesome respect of all foreign nations by whom he is generally recognized as the most striking figure in American life, and to-day, thanks to his strength, independence and commanding reputation, supporting and enforcing at every step the wise diplomacy of Mr. Hay, the United States occupy a more exalted position among the nations of the earth than ever before. They know him as well as they do their own statesmen, and they know that he always means what he says. American rights are universally and promptly respected, and the safety of every American citizen, on sea and land, throughout the world is assured.

"The last four years have proved that the rights of property are safe in his hands, that he is equally considerate both of capital and labor, and that he is the sworn and relentless foe of all plunderers, to whatever party they may belong. The national credit at home and abroad was never so high and secure as now; our

vast national resources are promptly and honestly collected, and the purity of the civil service is secure in the hands of its foremost champion.

"Those great unfinished undertakings, which the nation has so much at heart—the construction of the Isthmian Canal, on which the development of our commerce and national power depend, and the conduct of affairs in the Philippines in their steady progress towards ultimate self-government, can be more safely entrusted to him than to any new man. Under his administration our present foreign policy, which avoids all entangling alliances and insists upon friendly relations with all other nations, will be continued, and the integrity of China preserved, so far as our national influence can secure it.

"His absolute respect for the law is a sufficient answer to any idle talk about personal government. So far as the execution of the law is concerned, the President's voice is the voice of the nation, and his utterance cannot be too strong, too prompt or too determined.

"His enlarged experience in public affairs is of great value, and his manly and honorable record appeals to all Independents, old and young, to uphold his arms, instead of attempting to strike him down, and to let well enough alone, instead of trying new and dangerous experiments with new and untried men."

At the Thanksgiving Day dinner his talk was once more about the Pilgrims as the inventors of the festival. It will be noticed that he talked about them also in his Bible Society address. For fifty years at least he made an annual speech about the Pilgrims, and his sentiment for them, always strong, and growing by expression, was very thoroughly recorded.

"15 November, 1904.

"B. Fosset-Lock, Esq.,
Hon. Secretary.

"DEAR SIR:

"I have your very kind note of the 12th inst., informing me on behalf of the Council of the Selden Society that I have been elected an Honorary Member of the Society, and that I shall in due course receive its publications.

"I beg you to inform the Council that I am deeply sensible of the honor done me in electing me an Honorary Member of so distinguished a Society, for which they will accept my grateful thanks, and that I shall greatly value the publications of the Society.

Yours very truly,
JOSEPH H. CHOATE."

To President Roosevelt

"12 December, 1904

"DEAR MR. PRESIDENT:

"Ever since the election so many people have been busy resigning my office for me, apparently without having consulted either you or me on the subject, that I have waited for the present lull in their activity before writing to you about it.

"To ensure your absolute freedom of selection of your foreign representatives, I assume that every Ambassador and Minister now in office will tender to you their resignation before the fourth of March. It is with this view, at any rate, that I now surrender to your absolute disposition the office which, by your favor, I have held so long, and enclose my formal resignation to take effect on that date.

"I have always regarded my tenure of office as limited to the term of the President who appointed me, and for every reason my recall will now be most agreeable and welcome to me.

"I have certainly been here long enough—six years on the first of March next, and, as I have lately been happily reminded, longer than any of my predecessors since Mr. Adams. I ought to be at liberty to devote myself to my personal and family affairs, too long neglected, and I have many other things to do for which time is getting short.

"The moment is most opportune. The friendship and goodwill between the two countries, which I was instructed by President McKinley to cultivate, as my chief duty, are now apparently perfect, and are, I think, certain to remain so as long as you are President.

"With the free voice and pen of a private citizen I hope to be able to render good service to your cause at home. And so I shall await my letter of recall as a welcome summons.

"I shall be glad to know, as soon as your convenience permits, at about what date I may expect it. After so long a residence in London it will necessarily take some time to prepare for my departure.

"I shall leave no important business unfinished. There was one personal object, which I had much at heart, to complete and dedicate, while I was yet Ambassador in London, my memorial window to John Harvard in St. Saviour's Church where he was baptized.

"I intended it both as a memorial of Harvard's growing fame in England, and as a suitable gift to signalize my long residence in London. In spite of interminable delays, I still hope to accomplish it before my recall

reaches me, but if not, it can be safely entrusted to other hands.

"I shall retire from the public service, Mr. President, with the most grateful appreciation of the constant kindness and consideration which I have always received at your hands.

"I remain, most faithfully yours,

JOSEPH H. CHOATE."

"12 December, 1904

"To the President of the United States.

"I hereby tender to you my resignation of the office of American Ambassador at the Court of St. James, such resignation to take effect on the fourth of March, 1905.

Your obedient servant,

JOSEPH H. CHOATE."

To Joseph Choate, Jr.

"4, Carlton Gardens, S. W.
13 December 1904.

"DEAR JO:—

" * * * Well, I am sending by this mail my formal letter of resignation to the President to take effect on the 4th of March, which I believe he expects from all ambassadors—but what is more I have written him a private letter, saying that I had always regarded my tenure of office as expiring with the term of Prest. McKinley, and giving him ample reasons for my being relieved from further service at that time. I have long been thinking that it would be best for us all that we should end our life in London with the termination of our 6th year, which will be completed on the 1st of March. It will be best

for us all to get together in New York, so that we are all looking forward with hope to the President's taking my view of it which ought to set us free from London about April 1st. I have enjoyed every minute of it, but there is a time for all things, and no more propitious time for my retirement could ever occur.

"This must be absolutely confidential between us—until the President makes it known. It is for him and not for me to announce. The newspaper men as usual have been very cross because I would tell them nothing, and have had all sorts of absurd items about me. For instance, *The St. James Gazette* last night said—'Mr. Choate in response to his suggestion that he was very comfortable in the London Embassy, has been informed that American tradition permits no third term, etc., etc.' Each word of it palpably false.

"Of course this will settle the question about the 63rd St. house. We shall want it ourselves, but of course be getting it ready to occupy in the fall, and come home only in time to go to Stockbridge for the summer. How fine that will be! Now that our minds are made up to it, I think we should all be terribly disappointed if anything happened to keep us through the season in London. * * *

FATHER."

To the Same

"American Embassy, London.
21 Decr. 1904.

" * * * You mustn't mind what the papers say about me. It all proceeds from some ingenious penny-a-liners, and I have no doubt has annoyed the President more than it has me. I have reason to know that he has never

authorized any statement whatever. He will get my letter by the *Deutschland* on Friday and no doubt will answer it in his own good time. It will be delightful not to be public property any longer, whenever that time does come. * * *

FATHER."

To the Same

"American Embassy, London.
24 Decr. 1904.

" * * * When I hear how things are going in Washington, I am very glad to be out of it. There seems to be a general scramble among Senators for the whole diplomatic list. I see that the *Deutschland* arrived at New York on Thursday so that my letter must already be in the President's hands. I told him that I had always regarded my tenure of office as limited to the term of the President who appointed me, and that there was every reason why my letter of recall would be agreeable and welcome to me; that I had been here long enough, 6 years, and as I had lately been pleasantly reminded, longer than any of my predecessors since Adams, that I ought to be free to attend to my own personal and family affairs too long neglected; that I had many other things to do for which time was getting short; that the time was opportune; the friendship and good feeling between the two countries which President McKinley had instructed me to cultivate as my first duty were now apparently perfect, and were certain to continue so while he was President, and that with the free voice and pen of a private citizen I hoped to be able to work for his cause at home, so that my recall would be a welcome summons. * * *

FATHER."

To President Roosevelt

"10 January, 1905

"DEAR MR. PRESIDENT:

"I thank you most sincerely for your very kind letter of December 24th and particularly for your suggestion that if the delay will not inconvenience me you desire me to arrange to remain in the Embassy until I can personally dedicate my memorial window to John Harvard in St. Saviour's Church.

"I shall be most happy to do so, and the delay will not inconvenience me at all. I shall accordingly make my arrangements to remain and will promptly advise you as soon as I ascertain from Mr. LaFarge at what date approximately the window which he is preparing can be completed and put in place.

"It will give me great pleasure to conclude my life in London in so graceful a manner.

Yours most sincerely,

JOSEPH H. CHOATE."

"4 Carlton Gardens,
Jan. 9, 1905.

"DEAREST MABEL:—

" * * * William has doubtless told you of my delightful letter from the President. Last night it was followed by one even more so from Colonel Hay, who said many pleasant things and that the President wished to leave the time for the acceptance of my resignation to my own convenience. So we stand exactly as we should have wished to, if it had been left absolutely to ourselves from the outset. * * *

"Notwithstanding her apprehensions Mama got through the Roberts dinner very well, and confessed

that she had enjoyed it very much. There were a lot of Military celebrities there. Lord Methuen and Lady M., 'Plummer' whose name was on everybody's lips throughout the war in South Africa and Mrs. Plummer, Sir George Clarke, one of the Triumvers who reformed the War Office and Lady Clarke, Sir William Chamberlain, who has been Roberts' aide (he said he had met you) and will probably go with them to America, General Grierson, etc., etc. The only real civilians besides ourselves were Sir George Farrar and Lady Farrar. Sir George was in the Jameson Raid, and was one of the four condemned to death in Pretoria, and for twenty-four hours his wife and everybody else thought he would be executed. But next day they commuted his sentence to 15 years and afterwards gradually remitted it until they finally let him go free on payment of £25,000 fine, and today he is one of the Governing Council in the Transvaal Colony.

"The Robertses are bent upon going to America in the fall for three months, and we have claimed the first right to them in Stockbridge. Lady Roberts, to whose lot I fell at the dinner, was most entertaining with her reminiscences of her long years in India, going backwards and forwards eighteen times for the children's sake, her intense and delightful pride in her husband and her daughter, her little bottle of Bishop's Varallettes, and digestives—and her free comments upon people and things in general. I am sure that you will like her very much and that she will be most popular in America. * * *

PAPA."

As noted before, Mr. Choate for some months had been restricting his engagements for public appearances. When

it got out that he was going home, there were a great number of applications for the pleasure of his company and farewell words at farewell dinners. His letter to Sir Frederick Pollock that follows tells the story that he told to all the rest. He told it in some cases with evident reluctance, but stuck to it because he could not accede in one case and not in another without getting into trouble.

"4 Carlton Gardens, S. W.,
22nd January, 1905.

"Dear Sir Frederick:

"I am very grateful to you and Mr. Bryce and the Anglo-American League, for inviting me to a sort of farewell dinner before I leave England, and if it were only the Anglo-American League I should not hesitate a moment to accept and arrange for it. But I find myself unexpectedly overwhelmed with a large number of similar invitations from public bodies, which if I were to accept them, would keep me before the footlights in the rôle of a departing Ambassador making a 'positively last appearance' week by week from now until my departure.

"Prominent among these are the Pilgrims, who are also zealous supporters of the Anglo-American cause. If I accept one I cannot decline the other, and so I have written to the Pilgrims declining their most cordial invitation.

"There are two 'Farewell Banquets'—which I must accept, and I think you will agree with me that I ought to do so—the Lord Mayor's, which has become a traditional affair, and one to which the Lord Chief Justice has invited me on behalf of the Bench and Bar of England, an irresistible command to me as a lawyer. At one or the

other of these, doubtless, the chief of the Anglo-Americans will be present.

"And so I am going to presume upon the reliable friendship of yourself and Mr. Bryce to ask you to concur in my view that I ought to content myself with these two final public appearances, and to be excused from accepting the others including the Anglo-Americans who are all my friends.

"At least I ask your sympathetic judgment on this somewhat embarrassing predicament—the embarrassment of a very rich supply of earnest and devoted friends.

"If you and Mr. Bryce concur with me, I then propose to decline all the other invitations to public dinners except the two I have mentioned.

"After you have digested this most self-denying letter I shall be glad to hear from you again.

Yours most truly,

JOSEPH H. CHOATE."

Another line of correspondence in his letter-book relates to the window in memory of John Harvard that he was putting in St. Saviour's Church in Southwark. His concern about that was very great, as were also his anxieties. It was necessary to induce the church authorities to accept a window from the United States—a thing without precedent—and to accept the design of Mr. John LaFarge, about which also there were serious hitches. Mr. Choate heartily approved of Mr. LaFarge's design and had a great admiration for him as a maker of windows. He considered him the best stained-glass-window maker in the world, and wanted to have a piece of his work in England, and he wanted to have enough Harvard in the window to make it easily recognizable as a Harvard

window. He succeeded in all these aspirations, but not without hard work, much thought, much correspondence, and all the diplomacy he had. Finally he had great anxieties for fear the window would not be finished and received in time for him to be present at its dedication. Mr. La-Farge was a great artist. He had in a high degree that aspiration towards perfection which makes a great artist always want to think again, and try again, and to improve his best; so whether he would finish the window by the time appointed was a solemn question. But he did do it, and that whole enterprise turned out entirely to Mr. Choate's satisfaction and happiness.

"Windsor Castle,
27 Jan'y. 1905.

"Dear Jo:—

"Mama and I have been here for two days on a visit to the King and Queen, who have spared no pains to make it most agreeable. Besides ourselves there are Lord and Lady Lansdowne, Lord & Lady Iveagh, Lord & Lady Minto, Lord Roberts and Count Metternich, the German Ambassador,—a very pleasant party. The Castle has been immensely improved since the time of the old Queen who had insisted for forty years in keeping everything exactly as it was during the Prince Consort's time, so that there was room for great change and improvement. I suppose there is no other palace in the world that has in it such a vast mass of treasures in art and everything interesting except the Vatican, which is largely inaccessible. But here everything has now been arranged and exhibited to the best advantage and the effect is magnificent. Mr. Holmes, the librarian, who has been here for thirty-five years, was at our service.

He knows the history of every object in the palace and has shown us everything, and last night the King and Queen took us through their own private rooms, and showed us their rare contents. The Queen seems to have in her bed room in glass cases all her rare and splendid jewels which are wonderful. In fact every object in the Castle seems to be of value, and in very many cases they could not possibly be replaced. On Wednesday night, the King took Mama out to dinner, and I took the Queen, and had on my left Lady Arthur Hill who came in from the neighborhood and said that you once visited them for nearly a week in Ireland. And last night I took out Lady Minto, and the Japanese Minister, Mama. The weather has been perfect and our visit a complete success. We return to London this (Friday) afternoon.

* * *

FATHER."

"3 February, 1905.

"DEAR COLONEL HAY:

"Referring to your kind letter of December 28th, I have at last been able to advise the President of the approximate date at which I expect to be able to dedicate my memorial window to John Harvard, as between the 10th and 20th of May, and have accordingly, in pursuance of his request expressed in his letter of December 24th, asked him to accept my resignation at a time shortly subsequent to the latter date, whereupon I shall be glad to receive my letter of recall, so that my successor may present his letter of credence before the 1st of June, when the season begins to be most interesting.

"I am taking some little risk in this, because of La-Farge's well known tendency to delay and the similar tendency of English workmen and the ecclesiastical au-

thorities. But it seems to me only fair to my successor not to stand in his way after the time designated. So, if I fail to get the window dedicated within the time named, I shall leave it to other hands.

"I am beset, as you may suppose, by an overwhelming number of invitations to 'Farewell Banquets,' dictated by the abounding hospitality and goodwill of the British public, from all sorts of public and semi-public and private bodies, but I have concluded to make only two 'positively last appearances'—at the Lord Mayor's Banquet, which has become traditional, and at a dinner tendered to me through the Lord Chief Justice from the 'Bench and Bar of England,' a compliment from my professional brethren which I regarded as a command,—and to decline all the rest. One of these, I think, will take place shortly before the Easter holidays, and the other shortly after. There is an intervening fortnight, as you know, during which 'everybody' is away from London.

Yours most truly,

JOSEPH H. CHOATE."

"American Embassy, London.
4 February 1905.

"DEAR JO:—

" * * * I doubt whether Mama and Mabel can now contain themselves till May, as our plan has been. I am to stay until I can get my memorial window to John Harvard set up in St. Saviour's Church and dedicated, which I hope can be done at some date between the 10th and 20th of May. Should it not be accomplished by the latter date I should not feel like standing in the way of my successor, but shall leave it to some one else to

dedicate. I hear that President Eliot is in Switzerland. It would be too good luck to hope for, to get him to do it. * * *

FATHER."

"15 February, 1905.

"DEAR MR. NOYES:

"In response to your call in the last number of the *Harvard Graduates Magazine,* I send you the following additions to my record in the Quinquennial:

" 'LL.D., Cambridge, 1900. Yale, 1901. St. Andrew's, 1902. Glasgow, 1904. D.C.L., Oxford, 1902. President Constitutional Convention, New York, 1894.'

"The last named fact I offered indirectly for insertion in the last Quinquennial, but for some reason, which I don't recollect, perhaps because it came too late, it was omitted. But I think I am right in claiming it for insertion.

"The precedents are abundant. James Baldwin, 1745, President Const. Conv., Mass., is exactly in point, and I enclose a list of other insertions of similar 'facts' which though not strictly within the specifications enumerated in the catalogue have become established. * * *

Yours very truly,

JOSEPH H. CHOATE.

"James Andrew Noyes, Esq."

"22 April, 1905

"DEAR MR. NOYES:

"If not too late, I send you for insertion against my name in the new Quinquennial catalogue, another honor that I have just received, having been elected an Honorary Bencher of the Middle Temple (Inn of Court). This is

a very ancient society, as you know, and of the highest standing, and my election was regarded by it, and certainly by myself, as a highly 'honorable distinction.' So it comes directly within your published rules. In fact it is unique, as it has, I think, very rarely been conferred.

"If you approve, I would suggest this entry:

" 'Hon. Bencher Middle Temple, 1905.'

"I shall be glad to hear from you about it.

Yours very truly,

JOSEPH H. CHOATE."

The Quinquennial Catalogue is in a way the tombstone of all Harvard graduates. On Mr. Choate's actual tombstone there is the briefest possible record, hardly discernible, carved on the base of a cross. Doubtless that is as he would have had it, but as will be seen, he was solicitous that as much of the story about him as could with propriety be told in the catalogue of Harvard graduates should be correctly and completely set forth. If anything is permanent in this life and this country, it is the Harvard Quinquennial Catalogue. With fair luck that will outlast most cemeteries and will always be easily accessible to examination by persons interested.

"American Embassy, London.
21 Feb. 1905.

"DEAR JO:—

"Mama & Mabel think it so very funny that I should have become a member of a Whistler Society, that I enclose a cutting from today's *Times* showing how it came about. I had accepted for the dinner on the posi-

tive promise that I shouldn't be called on for a speech, but they fairly got the better of me, by making me an Honorary Member on the spot. * * *

FATHER."

To the Same

"4, Carlton Gardens, S. W.
18 March 1905.

"You might call this 'Carlton Hospital' rather than Carlton Gardens in the last fortnight—for mama and I have both been down all that time with this nasty Influenza which has been very prevalent in London. I had taken Marion Hague and her father all one long afternoon through many 'historic spots' in Old London, and that night was seized with violent fever and headache which lasted many days. Mama looked after me the first day and immediately took it, and had to go to bed, and there we were with a Doctor (Harley) and two trained nurses. I advise you not to get it, as it is evidently rank poison. However we are out of the woods now, and one trained nurse leaves this morning. I was down stairs yesterday for the first time and it did me good, and am to drive out today. Mama is only a day or two behind me. It hasn't interfered with business for there isn't much now, but it raised 'Ned' with our social affairs and duties, as we had to throw over any quantity of dinners, beginning with one we were giving ourselves for the Prince & Princess of Wales. Fortunately I have but three 'functions' left and those quite a way off—the dinner to be given me by the Bench and Bar of England on April 14th, the Lord Mayor's Farewell Banquet on the 5th of May and the dedication of my window as soon as may be after its arrival. The President ac-

cepted my resignation as of the 30th of May, but I hope to get through a few days before that so as to sail on that day.

"My old firm are turned out of 52 Wall St. after 40 years' occupation because the City Bank wants the rooms for themselves, and have taken offices at No. 60, and will give me a room for temporary shelter on my return. Mr. Southmayd goes with them and will surrender his lifelong objection to elevators.

"Have you seen Prof. Münsterberg's new book 'The Americans'? It is well worth reading. On p. 558 you will find a delightful reference to your baby and her start and prospects in life which I am sure will please you and Cora very much, and on p. 112 a reference to me which is somewhat overdrawn. * * *

FATHER."

At the banquet to Mr. Choate by the Bench and Bar in the hall at Lincoln's Inn on April 14, the Lord Chancellor presided, and a very large company, which must have included everybody of importance in the legal profession in England who could get there, sat around the tables. In proposing Mr. Choate's health the Lord Chancellor called the company "a somewhat unique assemblage of our great profession." "I do not think," he said, "I have ever seen so many together." He spoke of Mr. Choate as a lawyer and then as an Ambassador. He went on to say:

"I regard an ideal Ambassador as being like one of those beautiful machines which work so easily, smoothly, and rapidly that you hardly appreciate that they can be working at all. They make no noise. But occasionally it does not depend upon the Ambassador alone. Some-

times people make imprudent speeches. That has occurred, and the Ambassador has to make everything smooth. That is a difficult thing to do. I will not detain you by what may be considered to be a description of the ideal Ambassador; but I will only say that our great guest has been so many years with us, that he has been about us and among us, and that he has never given offence to any one. When one considers what the responsibilities may be—nations like individuals sometimes get into a passion, and unless a man is able to withstand the popular voice, either of his own country or of the country by which he is surrounded, to keep both his temper and his head, the issue may be the greatest disaster that may happen to a nation—the disaster of war. What shall we say for the Ambassador who during the whole period of his residence among us has used all his great influence, an influence so great because it is accompanied by the temper and honour of a gentleman, to prevent anything like a tendency to that jealousy and hostility which from time to time will arise among nations? I cannot go on in his presence beyond saying this, that without, I think, a single dissentient voice, our guest would have been recognized to have done all that an Ambassador should do to keep the peace between two of the greatest nations on earth. It is true that once upon a time we quarrelled—we will not consider how many years ago that was—and we separated. And so did we when we were Saxons, so when we were Normans. But I do not think the practical politics of the day recognize the difference between Saxon and Norman. And so I may say that between the great country of which my friend is the representative and ours we will recognize the fact that the past is past. The dead may bury its

dead in the past, and we can only remember now that we are kindred nations, and ought to love one another.

"And now I come to the hardest part of my task, and that is to say farewell. I confess I love the old Greek idiom which in one word says farewell and bids the parting friend to rejoice. We do say to lawyer, Ambassador, and best of all, to friend, farewell, and at the same time, rejoice. To go back to your own country and your own home, surrounded by the holy melodies of love, to go back with the respect of all with whom you have come in contact, with the consciousness that you go back with the sense of duty nobly done, with the knowledge that in your day and generation you have advanced the tendencies to peace; to go back, not like the Roman conqueror, with trophies of a successful campaign, but having won the affection and admiration of a whole kindred people, that may indeed justify the apostolical farewell and induce us to say rejoice, and again I say rejoice."

Then he proposed his health, and the Attorney-General seconded it, for he said that though it was not usual to second the proposal of a toast, this was not an ordinary occasion. He made further remarks, but briefly, and Mr. Choate responded as follows:

"My Lord Chancellor, my Lords, and Gentlemen,—I may say brothers all, for I accept your presence here to-night as a signal proof that neither time, nor distance, nor oceans, nor continents can weaken the ties of sympathy and fraternity between the members of our noble profession wherever the English law has reached or the English tongue is spoken. On this spot, consecrated for centuries—I was going to say for unnumbered centuries—

to the study and development of the law, I feel that we are gathered to-night for a veritable professional love-feast, if I can judge from the kindly words of the Lord Chancellor and the Attorney-General and from your genial countenances. No profane presence of laymen, no troublesome affairs of clients, can disturb us here to-night. We are all lawyers, except the Judges, and they, too, are lawyers who have soared in ascension robes to a higher and nobler sphere. I thank you all from the bottom of my heart. For an American lawyer who long since withdrew from the arena, to find himself the guest of the united Bench and Bar of England, supported by the presence of all that is illustrious and famous among them, is a position which only overcomes me with a sense of my own unworthiness of the compliment you have paid me. I cannot but feel that in my person and over my head you desire to pay an unexampled honor to the great country that I represent, to its Bench and Bar, that daily share your labors and keep step with your progress, and to the great office that I am about to lay down.

"Let me say a single word about the altogether too lavish compliments that the Lord Chancellor has paid me in respect to my official career in England. My task has not been the difficult work of diplomacy to which he has referred. It has all, from the day of my arrival here until now, been made absolutely easy by the spirit with which I have been received. The two representatives of this great country with whom I have had to do at the Foreign Office—Lord Salisbury and Lord Lansdowne—have made my task perfectly easy, not only because they have always practised the modern diplomacy, meaning what they say and saying what they mean, with never a card up any sleeve on either side,

but because in every single incident they have met me more than half-way in all that went towards conciliation, harmony, and union between the two countries. It was also easy for us on both sides for other reasons—because the two great chiefs of State on either side, the late illustrious Queen and the present occupant of the Throne, his not less illustrious Majesty, upon the one side, and President McKinley and President Roosevelt upon the other, have all the while been determined that the two countries should be friends; and, back of all that, a circumstance which gave great force to everything that either has ever said, the rank and file, the great mass of the people on either side, were determined that nothing should happen to impair the friendship of the two peoples. I cannot tell you how much I thank you for your presence here to-night. I am especially proud that the chair is occupied by the Lord Chancellor, whose name in both countries is a synonym for equity and justice. In spite of his thirty-five years at the Bar and his eighteen years upon the Woolsack, he is the very incarnation of perennial youth. Time, like an ever-rolling stream, bears all its sons away, but the Lord Chancellor seems to stem the tide of time. Instead of retreating like the rest of us before its advancing waves, he is actually working his way up stream. He demonstrates what I have been trying to prove for the last three years, that the eighth decade of life is far the best, and I am sure he will join with me in advising you all to hurry up and get into it as soon as you can. He gave me his personal friendship immediately after my arrival here, which has all the time been growing stronger and stronger; and, while he has been drinking at some mysterious fountain that always renewed his mind and his body, I can answer for it that his heart has all the

time been growing younger and fresher and warmer. I must also acknowledge with gratitude the presence of the Lord Chief Justice to-night. He, too, has graced my life in England with his friendship. His name is a household word in America. He is held in the highest esteem and honor; and I only hope that he will yield to my repeated persuasions to come over and give us a chance to show how much we like him.

"The occasion and the Lord Chancellor's and Attorney-General's most kindly words, I am afraid, will make me a little egotistical. I must disavow what they have so strongly pressed—my great prominence in the profession. I only tried always to keep my oath to do my duty by my client and the Court; but I will confess that from the beginning to the end of my forty-four years at the Bar I loved the profession with all the ardor and intensity that that jealous mistress the law could ever exact, and was always trying to pay back the debt which, as Lord Bacon says, we all owe to the profession that honors us. In my youngest days I could not resist the attraction of those historic and dramatic scenes and incidents in the lives of the world's great advocates which everybody knows. Who would not have given a year's ransom, a year of his life, to have heard Somers, in the case of the seven Bishops, in a speech of only five minutes, breaking the rod of the oppressor, winning the great cause, and at one bound taking his place, the foremost place, among the orators and jurists of England; or Erskine, the greatest advocate anywhere and of all time, when he dared to brave even the mighty Mansfield's admonition that Lord Sandwich was not before the Court? 'I know he is not before the Court, and for that very reason I will bring him before the Court.' He entered

the tribunal that morning an absolutely briefless barrister, and went out of the Court with thirty retainers in his pocket and followed by a crowd of solicitors engaged in a race of diligence to see who should reach his chambers first. Who would not have given a year of his life to have heard Webster pleading before the Supreme Court of the United States for the little college in the hills, where his intellectual life began, and throwing successfully round it the shield of that most beneficent of all constitutional provisions, that no State shall pass any law impairing the obligation of contracts?

"I started in life with a belief that our profession in its highest walks afforded the most noble employment in which any man could engage, and I am of the same opinion still. Until I became an Ambassador and entered the *terra incognita* of diplomacy I believed a man could be of greater service to his country and his race in the foremost ranks of the Bar than anywhere else; and I think so still. To be a priest, and possibly a high priest, in the temple of justice, to serve at her altar and aid in her administration, to maintain and defend those inalienable rights of life, liberty, and property upon which the safety of society depends, to succor the oppressed and to defend the innocent, to maintain Constitutional rights against all violations, whether by the Executive, by the Legislature, by the resistless power of the Press, or, worst of all, by the ruthless rapacity of an unbridled majority, to rescue the scapegoat and restore him to his proper place in the world—all this seemed to me to furnish a field worthy of any man's ambition.

"The relations between the Bench and the Bar of England and those of the United States are far more intimate and enduring than I think even you can sup-

pose. I wish you could enter any of our Courts in America anywhere between Boston and San Francisco. You would find yourself on familiar ground and perfectly at home—the same law, the same questions, the same mode of dealing with them. You would find always and everywhere the same loyalty on the part of the Bar to the Bench and on the part of the Bench to the Bar. Some things you would miss. You would miss, I think, some of that dignity, some of that picturesqueness, at least, which prevails in your own tribunals. Our barristers appear in plain clothes in Court. The Judges—some of them—wear gowns, but never a wig. I think it would be a very rash man that would propose that bold experiment to our democracy. If the Lord Chancellor had wished that our primitive and unsophisticated people should adopt that relic of antiquity and grandeur, he should not have allowed his predecessors in his great office to tell such fearful stories about each other in respect to that article of apparel. We have read the story of Lord Campbell, as given in his diary annotated by his daughter, as to what became of Lord Erskine's full-bottomed wig when he ceased to be Lord Chancellor—that it was purchased and exported to the coast of Guinea in order that it might make an African warrior more formidable to his enemies on the field of battle. We have a great prejudice against anything that savors of overawing the Court, overawing the jury; and if any such terrors are to be connected with that instrument our pure democracy will never adopt it.

"Now, gentlemen, these ancient Inns of Court, and, above all, Westminster Hall, with its far more ancient and historic associations, which have been the nurseries and the home of the Common Law for ages, are very

near and dear to my countrymen, and especially to my brethren of the Bar in America. There is nothing dearer to them. They flock to Westminster Hall immediately on their arrival here; and they wish—I wish for them—to acknowledge that infinite debt of gratitude that we owe, that the whole world owes, to the Bench and Bar of England, who have been working out with untiring patience through whole centuries the principles of the common law which underlie alike the liberties of England and of America. It was the Bench and Bar of England in the Inns of Court and in the Courts in Westminster Hall, and more lately in the Royal Courts of Justice, that established those fundamental, those absolute principles that lie at the foundation of our common liberties. What are they? That there is no such thing as absolute power, that King, lords, and commons, President, congress, and people, are alike subject to the law; that before its supreme majesty all men are equal; that no man can be punished or deprived of his dearest or any of his rights except by the edict of the law pronounced by independent tribunals, who are themselves subject to the law; that every man's house is his castle, and though the winds and the storms may enter it, the King and the President cannot; in other words, and the sublime words of the great Sidney, that ours, on both sides of the water, is 'a government of laws and not of men.' Indeed, we claim these venerable structures as in large part our own. I believe that William Rufus held his first Court in Westminster Hall at Whitsuntide, 1099. Well, when John Winthrop, of the Inner Temple, went over to America to found the State of Massachusetts in 1629, those Courts, that great Hall, these Inns of Court had been as much ours as yours for hundreds of years;

so that you see we claim a very great interest, a personal and immediate, and direct right in all that has contributed to the growth and development of the law in England. You had been in these very Inns of Court, studying and teaching the law, for at least a century before Columbus made his great discovery, which opened the dawn of a new creation and put an end to the dark ages. In Magna Charta and the Petition of Right our colonies carried with them the germs of what has grown to be American law and American liberty. At the beginning there were no lawyers in America. They had an idea of a Utopia which could be carried on successfully by the help of the clergy, without them. But we have made great progress since then, and our last census shows in America more than 100,000 lawyers. I can give the exact number—104,700, of whom 1,010 are women. Now, I am afraid the Lord Chancellor, who is so conservative, would hesitate a little at the admission to the Bar of 1,010 women; but I assure him that if he will go over there and hold a Court in which they may be heard, and if you, gentlemen of the Bar, will go over there, and take retainers with them or against them, you will be so fascinated that you will embrace every opportunity afterwards of repeating the experiment.

"Now, our Declaration of Independence, which the Lord Chancellor seems to have a little doubt about, our Constitution of the United States, which he has no doubt about, are only the natural sequence of Magna Charta and the Petition of Right. Our Revolution only followed suit after your Revolution of a hundred years before. We stood for the same principles, we fought the same fight, we gained the same victory. Our Jefferson and Franklin and their associates in declaring indepen-

dence, our Washington and Hamilton and their associates in organizing the Government of the United States and setting its wheels in motion, were only doing for us what Somers and his great associates had done for you in 1688. Now you will not be surprised that in these fateful events, which meant so much for the welfare of the world, and in which the lawyers took a very great part, these Inns of Court contributed their *quota;* and that there were five of the signers of the Declaration of Independence who had been bred to the law in the Middle Temple, and three of the framers and signers of the Constitution of the United States who had been bred in the same Inn, and one of them was afterwards nominated by President Washington as Chief Justice of the United States. So you may well imagine with what delight I was informed a day or two ago that I had been made a Bencher of the great American Inn, the Middle Temple. I do not think any American lawyer has ever had such a success as that. They may have won more cases, they may have got more fees, but they never have been made Benchers of any of the Inns of Court. In fact, this incident, so touching to my heart, has almost changed my mind. I have a great mind not to go back to America, but to remain here and resume the practice of the law where those five signers of the Declaration and those three signers of the Constitution left off 125 years ago. I should like to cross swords and join conclusions with some of these distinguished Benchers of the four Inns of Court who grace these tables to-night. I do not know what my brethren of the Bar at home would say, but I think they would say, 'If you have achieved such a success as that make the most and the best of it at once.'

"Well, there is no difference between American law and liberty and English law and liberty. I should like to mention two responsibilities which have been thrown upon the Bench and the Bar in America in a greater degree than here. One is that on the Bar the whole burden of legislation from the beginning has been thrown. In a country like ours, where the executive and the legislative departments are kept asunder by impassable constitutional barriers, it is justly considered, and has always been considered, that, for making and amending and expanding the law, the men best qualified are those who are already skilled in the law, and so from the beginning the majority of lawyers in Congress and in each one of the Legislatures of our forty-five States has been uniformly maintained.

"And then upon the Bench there has been thrown another very great responsibility, growing out of our peculiar form of government, exercised by all the Judges and culminating in the unique power of the Supreme Court, to which the Lord Chancellor has referred, to set aside, to declare null and void, any Act of any Legislature or of Congress itself which comes in conflict with the provisions of the Constitution. I believe it has been exercised by that Court about twenty-four times in the case of Acts of Congress, and something like two hundred times in the case of State enactments, and it has been the balance wheel upon which our complicated and dual system of government has turned. There we have over every foot of the soil of our great territory and over every living being within it two distinct and independent Governments, each supreme and absolute in its own sphere and working in absolute harmony because of this harmonizing function of our great tribunal.

"I said a little while ago that perhaps you excelled us in your tribunals in dignity, in the control which the Court exercises, and ought to exercise, over the Bar. It is all illustrated by a single difference of phraseology. In America we say that the counsel try the case and that the Judge hears and decides; but, if I understand your common parlance here, the Judge tries the case and the counsel hear and obey. That is where we have got a good deal to learn from you. It is exactly as it should be. But do not believe for a moment that there is any abdication on the part of our tribunals, from the Atlantic to the Pacific, of the functions and authority that belong to the judicial office. If anybody should go over there and try it on he would find that he was very much mistaken indeed. There is an example set by that august tribunal to which I have referred. No Court could be looked up to with so much reverence; no Court, I think, receives the homage and deference, not only of the community, but of the Bar, in such a signal way as that; and the influence of its example is widely extended, and other tribunals follow as they may. Now, gentlemen, I must not occupy any more of your time. I cannot express the overflowing feelings that are welling up from my heart at this moment when I find myself thus honored by the most illustrious men of the Bench and Bar in England, and that such words of affection for me should have been spoken on every side. I can only thank you again and again. Let me tell you of what one of my predecessors said—I think many of you knew him—himself a very great lawyer, Mr. Phelps. Before I left America to come and take up my office here he called upon me and he said, 'Mr. Choate, the best nights that you will have in England are those that you will pass

with the Bench and the Bar.' 'The lawyers,' said he, 'are the best company in England, and I advise you to lose no opportunity of cultivating their friendship. You certainly will have your reward.' My Lord Chancellor and gentlemen, I have faithfully followed his advice and I have my reward to-night. No one ever had one more rich and generous. I shall carry the memory of it with me as long as I live, and I think I shall be attracted by the love of my professional brethren to visit these shores as often as I can."

"American Embassy, London.
15 April 1905.

"DEAR JO:—

"I send you from today's *Times* a full account of the Dinner given me last night by the Bench and Bar of England, perhaps the greatest honor I have ever received. Also, the same paper's editorial upon it. * * *

FATHER."

To His Wife

"4, Carlton Gardens, S. W.
17 April 1905

"I got William to enclose to you Mr. White's letter, knowing that you would be glad to hear from a competent witness who had seen it that Canonica's bust of me has turned out well in marble and is an amazingly good likeness. * * *

"This evening I had a long call from Sir Wm. H. Russell and Lady Russell—the old war correspondent of *The Times*. He seems very old and infirm although only 85, the age of Lord Wemyss and John Bigelow about. With the aid of two sticks and a man to put on his hat

and button his coat he just can crawl across the floor. But he talked still very interestingly about old times & men. * * *

J. H. C."

At the farewell banquet given by the Lord Mayor at the Mansion House on May 5, there was another very distinguished gathering, headed by the Archisbhop of Canterbury, the Prime Minister, the Duke of Wellington, and Lord Lansdowne. Mr. Choate's health was proposed by Mr. Balfour, who said of him among other things:

"Since he has represented here the country with which we are most closely joined together with ties of blood and friendship, he has seen us in those six years pass through many phases, he has seen us mourning and rejoicing, suffering disaster and victorious. I do not know what impression he may have formed of the men of his blood upon this side of the water, but we, at all events, have formed our estimate of him and have had opportunities of forming it. He came here as others among his predecessors have come, with the ability and the wish, not merely to be the representative of one great State at the Court of another great State, but as one who was ready to take his part in that portion of our public life—thank Heaven, no small portion—which is unconnected with party politics. In that portion he has played his part, not merely worthily, but with brilliancy and distinction. We thank him for all he has done in many parts of the country to show how close are the common interest and the common ties which bind together the two great halves, the great fragments, of the Anglo-Saxon race. He belongs to that profession

whose mission is that of the peacemaker—I do not allude to what perhaps he would regard as his profession in life—namely, that of the advocate and brilliant lawyer. I do not know that the word peacemaker is one that would be most appropriately applied to that particular profession, which has so many other distinctions, but not, I think, that one; I allude to the profession to which the six years I refer to have been devoted—that profession of which the very trait is, or ought to be, that of smoothing away the difficulties and misunderstandings, all the small causes of friction which, left neglected, may in the body international produce the most disastrous effects, as they do in the human body lead from small causes to great diseases. But he has been much more than the diplomatist, and I hope he will carry away from this country much more than merely diplomatic ideas. He represents, and worthily represents, a country which is bound to us by ties far more permanent than those of interest, far deeper than those which are born of common objects which may unite, and do unite, nations of different culture and race to attain some common end. I do not think the matter could be put more happily than it has already been put tonight by Sir Henry Campbell-Bannerman, when he reminded his audience that however much the original Anglo-Saxon race, to which the Ambassador belongs, might have been modified by successive immigration of men from all parts of Europe, that nevertheless the civilization has always been, is, and must always remain, of the type common to the dwellers in Great Britain and her self-governing colonies, and to the United States of America, common law, common literature, an identity of view on matters religious, a common method of dealing with all new prob-

JOSEPH HODGES CHOATE.

From a photograph by G. C. Beresford, taken in London in 1903.

lems, a common outlook upon the world—these are things which we did not acquire for ourselves, but which we inherited and which we cannot dissipate. I do not say that the Governments of the world, looking back upon the last century, have always shown themselves wise in dealing with their international relations, I do not know that the official leaders have always done their part in developing what should be a common sentiment, but a common sentiment survives in spite of what the official leaders may say or may do, and I am glad to think that as time goes on and as one decade follows another, so old bitternesses are lost in historic dust, old causes of difficulty diminish or vanish altogether, and then emerges slowly but surely that feeling of a common brotherhood which is the surest prospect, as I venture to think, of international peace and of international progress. You, Mr. Ambassador, have contributed in no small degree during your tenure of office to this happy and healthy growth of sentiment, and may it be the privilege of our children to look back over a long line of your successors to an ever-increasing development of sentiments, of emotions not to be formulated easily in words, not finding their true or best embodiment in formal treaties, but each stronger than any treaty or any instrument devised by man, binding together indissolubly through all time the two great liberty-loving sections of one race in the interests of peace, in the interests of progress, and in the interests of a culture which may learn, and will learn, from nations of every race and language, but which must through all time maintain a separate individuality of its own. In the name of this great and distinguished company I beg to drink your health, to wish you all happiness in the future, and to assure you that though you

have been drawn to us from your original home to what I trust I may call your second home, you have left many friends behind you, many who look back with affection and respect to your career here; and this is no formal or official expression of our sentiments, but one which goes straight to the heart of every one of us."

Mr. Choate replied as follows:

"My Lord Mayor, Mr. Balfour, my Lords and Gentlemen,—Certainly this is the crowning hour of my life. At any rate, it is positively my last farewell benefit upon the English stage. To be received and fêted by the Lord Mayor of London, who holds the most unique and picturesque office in the kingdom, who bears upon his breast the badge which his predecessors in direct succession have worn for more than seven hundred years, the Chief Magistrate of this wonderful City, the centre of the world's commerce and the seat of the British Empire; to have my health proposed and my obituary pronounced by the Prime Minister, who bears upon his ample shoulders all of this great globe which the British drum-beat encircles, supported as he is too by such a number of possible Prime Ministers of the future, all ready and willing in the fulness of time, with consummate self-sacrifice, to relieve him of this great portion of his duty; to see present also so many members of that august but occult body, the Cabinet, who labor in secret, but to-night for my sake have come out into the full glare of the bright electric light; to be honored by the presence of the Foreign Secretary with whom I have had such delightful intercourse, Lord Lansdowne, from whom no secrets are hid; and then to find that so many of the famous men of England of all professions, parties, and opinions

have come here to-night as my friends—I could look almost every man in this company in the face and claim him almost as an old friend—I do not dare trust myself to speak at all about it. I can only thank the Lord Mayor for his magnificent hospitality, and you, all my fellow-guests here, for your inspiring presence. I am sure that you will indulge me, before I say the fatal word 'Farewell,' in a few words in response to what has been so eloquently said to you by the Prime Minister. Altogether too much credit has been attributed to me for the happy, the delightful relations that now exist between our two countries. If I have contributed in the least degree to maintain and preserve what I found already existing, the last six years will be the proudest of my life.

"But, gentlemen, the real credit of this happy state of things belongs not to me or to any Ambassador, but it belongs to the two men who are responsible, and have now for some years been responsible, for the conduct of our relations, no longer foreign relations—I mean Lord Lansdowne and Mr. Hay. The diplomatist who should try to pick a quarrel with Lord Lansdowne would be a curious crank indeed; because he would have to pick it all himself; Lord Lansdowne would be no party to it. And, happily, so it is with Mr. Hay. Never were two statesmen more happily matched, for the noble game that is entrusted to them. When the noble marquis escapes from the *ennui* of Downing street and the tiresome visits of Ambassadors, to his beloved retreat in the extreme southwest of Ireland, he finds himself in the next parish to the United States, with nothing between us and him but fresh air and salt water. And I think I have noticed that he catches and reflects the breezy influences of that close neighborhood. At any

rate, I have always found that my best time for dealing with him on American questions was when he returned refreshed and invigorated from that near approach to the Western World. Always, the policy of the Foreign Office, so far as I have observed it, has been one of fairness, frankness, justice and simple truth, and I hope that he has found our State Department the same.

"No single man can claim exclusive credit in this happy result. You all know how constant, how unceasing your gracious Sovereigns and our high-minded Presidents have always been in the same direction. I wish to say here to-night that I have never been called into the presence of his Majesty the King or of his illustrious mother that I did not find them full of expressions of sympathy and friendship for the country that I represent. I well remember the last interview that it was my honor to have with your late illustrious Queen. It was immediately after a frightful conflagration had occurred in America, where many lives were lost. She knew all about it, she had studied all its details, and was as full of sympathy and sorrow as if the disaster had occurred in her own dominions. And as for his Majesty, the King, why, his instinct for peace is so unceasing, his genius for conciliation so perfect, as he has been showing to the world in this very last week, that it will be impossible hereafter as long as he lives for any of the other nations to quarrel with his own people.

"I have been asked a thousand times in the last three months, 'Why do you go?' 'Are you not sorry to leave England? Are you really glad to go home?' Well, in truth, my mind and heart are torn asunder by conflicting emotions. In the first place, on the one hand, I will tell you a great secret. I am really suffering from home-

sickness. Not that I love England less, but that I love America more, and what Englishman will quarrel with me for that? There is no place like home, be it ever so homely, or, as the old Welsh adage has it, 'east and west, hame is best.' My friends on this side of the water are multiplying every day in numbers and increasing in the ardor of their affections. I am sorry to say that the great host of my friends on the other side are as rapidly diminishing and dwindling away. 'Part of the host have crossed the flood, and part are crossing now,' and I have a great yearning to be with the waning number. And then, on the other hand, to make a clean breast of it in this family party, I am running a great risk, if I stay here much longer, of contracting a much more serious disease than homesickness—I mean Anglomania, which many of my countrymen regard as more dangerous and fatal than even cerebro-spinal meningitis. To a young man it is absolutely fatal, but to one who has well-nigh exhausted his future, the consequences are not quite so serious. It was wisely said by one of the Presidents of the United States that he would not trust a Minister or an Ambassador in England more than four years, because those English would be sure to spoil him, and you have done your best to spoil me—not as the children of Israel spoiled the Egyptians, by taking from them all they could lay their hands upon, but by heaping on my undeserving head all the honors and compliments and benefits that you can lay your hands upon. And so it is hard to say whether I am more glad or more sorry, or on which side of the water I shall leave or have the largest half of my heart. Mr. Balfour has spoken of the advantages that I have had in studying the English people, and he wondered what sort of impression I should

carry home. Well, I shall carry, in the first place, the most delightful personal memories—memories of exalting and enduring friendships formed, of many happy homes visited, of boundless hospitality enjoyed.

"But I shall carry away something better than that. I shall carry away the highest appreciation of those great traits and qualities which make and mark your national life—the reign of law absolutely sovereign and supreme in all parts of the land; individual liberty carried to its highest perfection, perfected by law and subject to it; that splendid and burning patriotism which inspires your young men when their country calls to risk life and all they hold dear for her sake. I recall that lofty stanza of Emerson applied to our young men when they responded to a similar call:—

> "'So nigh is grandeur to our dust,
> So near is God to man;
> When duty whispers low—"Thou must"
> The youth replies, "I can!"'

I shall carry with me the recollection of that splendid instinct for public life which animates and pervades those classes here from whom public duty is expected, and the absolute purity of your public life which is the necessary result. There are so many other things that I witnessed here. I wish I could spend time in recalling more of them.

"One thing that has struck me from first to last here in England is the loyal devotion of all the people to the integrity of the Empire, conforming, as it does, exactly to our fundamental idea of American life that everything must be sacrificed, everything else must be sacrificed if necessary, to maintain the sovereignty and integrity

of the Republic. I came here believing that you were a cold and phlegmatic people, not capable of those mercurial outbursts of emotion which sometimes carry away my own countrymen and those of other nations. But I have lived here long enough to change my mind and to know you better. I have seen you, as Mr. Balfour has said, in all the vicissitudes of peace and war, under the strain of a tremendous anxiety and apprehensions of disaster, and in all the exultation of victory. I found that under your cool exterior, your serene repose of manner, the hall-mark of the English gentleman, which other nations may well envy, you carry hearts as warm as ever inspired the enthusiasm of any people. I was brought up to believe that work, hard work, was the end and aim of life—that that was what we were placed here for. But on contemplating your best examples I have learnt that work is only a means to a higher end, to a more rational life, to the development of our best traits and powers for the benefit of those around us, and for getting and giving as much happiness as the lot of humanity admits.

"Six years ago I came among you an absolute stranger upon a mission wholly new to me, but from the moment I landed I was no longer a stranger. All doors were open to me, endless hospitality was showered upon me, and I learnt that I had really some useful work to do here. In these days of cables and wireless communications, when the Foreign Office of each nation is brought into actual presence in the capital of every other, an American Ambassador who confined himself to official duties would have very little work to do. I was instructed by President McKinley to endeavor to promote the welfare of both countries by cultivating the most friendly rela-

tions between them; and in obedience to that instruction I have gone to and fro among the English people, coming in close contact with them, studying them at near range for the purpose of discovering the distinctions and differences, if any, that exist between us. I have endeavored to make them better acquainted with my own country, its history, its institutions, its great names, for the purpose of showing them that really the difference between an Englishman and an American is only skin deep, that under different historical forms we pursue with equal success the same great objects of liberty, of justice, of the public welfare, and that our interests are so inextricably interwoven that we would not, if we could, and could not if we would, escape the necessity of an abiding and perpetual friendship. I have no doubt now, and can have no doubt, about the permanence of the peace which now exists between us. War between these two great nations would be an inexplicable impossibility. We have got along without it for the last ninety years; we shall get along perfectly well without it for the next nine hundred years—absolutely so.

"The gravest questions have arisen during this protracted period of peace, questions which other nations might have made causes for war, and we have settled them all without a single exception by resort to the peaceful mode of arbitration, to the principle of which Senate and people are all equally committed. You must not be troubled by hearing of any domestic discussion as to how this happy result of leaving every question that may arise between us to final settlement by arbitration can best be brought about. In the practical application of the principle we have never yet failed in the past, and we shall never fail in the future. Of course, as you all

know, there are questions which are not capable of arbitration, but no such questions are possible, as it seems to me, to arise between your nation and ours. Our good understanding is now complete and perfect; our interests are more interwoven than ever before; our knowledge of each other is greater and closer than ever before, and every year and every day it is growing closer. It means very much that our multitudinous visits to your shores have been responded to in a single season by return visits of such men as the Archbishop of Canterbury, the Bishops of Hereford and Ripon, Lord Dartmouth, Mr. Bryce and Mr. Morley; and, if I am rightly informed—if I am not mistaken—in the event of any change of Government the retiring Ministers would follow their example, and they would find in the capacious bosom of our broad Republic the rest for which they were seeking, and the new life and inspiration which would bring them home for the next rebound. And I really believe that, if you follow the advice of his Grace and these returned statesmen, a visit to America might be made hereafter an absolute qualification in the education of a British statesman.

"Our literature on both sides is filled and saturated with our good understanding. The most recent eminent historian of Great Britain exhausts the power of eulogy in dwelling upon the merits of those arch Republicans, George Washington and Alexander Hamilton, and even of Benjamin Franklin, who snatched the lightning from the clouds and the sceptre from tyrants. And it has also been discovered what we always knew—that my predecessor, Mr. Adams, who stood here like a rock for the interests of his country in days most perilous to our peace, has really proved to be in the end the best friend

of both countries, as Mr. Herbert Paul, in his last volume, for which I thank him, declares him to have been. He says that at Geneva he saved the arbitration from collapse and the two nations from falling apart, and he boldly suggests that he is entitled to have a monument at Westminster as well as at Washington. I thank him for that. Then, on the other side you have heard a good deal, and I have heard a good deal, of the rancor and bitterness that had grown into the American school-books, especially the school histories, bringing down to present times the hard feelings of our former conflicts; but Mr. Goldwin Smith, whose name you will all respect as an historian, in his very recent address before the American Historical Association, declared that, having heard a great deal about this vice in the school histories in use in America, he made a collection of our school-books of the present day and examined them, and he expresses the positive belief that there is very little in them which could give offense to any reasonable Englishman.

"Then you heard what my successor, Mr. Whitelaw Reid, who will soon be with you, said recently in New York. Let me read it to you, for it is a very good introduction of him to this audience. He said that international good will 'after all is no longer a subject of much concern. We do not continue to worry over an object of national or international desire when it has already been attained. We are content to enjoy it.' The good will between your country and this already exists. Never at any stage of our history has it been so generally taken as a matter of course on both sides of the Atlantic. And let me say here that you will find my successor—you will recognize him as a life-long advocate of friendly relations between England and our own country. He will

come among you as an old friend. You have received him before on several most distinguished and brilliant missions. His experience and diplomacy, his knowledge of affairs, his versatility are well known, and I am sure that you will give him a good old-fashioned, hearty, British welcome.

"Now, serene and secure as our peace is, I am not so foolish as to indulge the hope that it will never be disturbed. Untoward events will happen, unfortunate things will be said, something or other will happen that will for the moment disturb the serenity of our peaceful relations. And how are these threats of disaster to be avoided? Standing here by the side of your predecessor, eight years ago, Lord Salisbury said that there was nothing in the traditions of Government, nothing in the tendencies of official life, which was any danger, if any existed, to good relations. 'Take care,' he said, 'of the unofficial people, and I will see that the official people never make any war;' and he went on to speak of that public opinion which dominated Governments then, and which has since grown to dominate them still more. If any such unhappy occurrences do arise, we are to be tided over them by public opinion and by that great exponent of public opinion and guide of the public conscience—a high-minded and patriotic Press on both sides of the Atlantic. If the Press does its best to minimize such untoward events and to keep the people cool till sober second thoughts come we shall all be glad; but if they stir up the embers and fan the flames and pile on the fuel, they may get up a conflagration which will tax all the international powers of the fire brigade commanded by Lord Lansdowne and Mr. Hay to extinguish.

"And now why waste a night in words when I only

came here to say a single word? I bid you, and through you the people of England, farewell with infinite regret, carrying with me the most precious memories and the best opinions and a mind enlarged and improved by my six years here, having learned to take a broader and a happier view of our relations and the possibilities of our two peoples than I had before; and I end as I began, by thanking the Lord Mayor for his boundless hospitality and for giving us this splendid occasion for the interchange of friendly sentiments between two great and friendly peoples."

He writes to Secretary Hay on May 23:

"I have today presented my letter of recall, and immediately afterwards lunched with the King. I cannot tell you how light-hearted I feel at having gotten rid of all responsibility, and Carter already begins to stoop under the weight of it. For the first time in six years and four months, I am no longer tongue-tied, but can say what I please about anything and anybody."

On the same day befell the dedication of the Harvard memorial window at St. Saviour's Church (Southwark Cathedral). What Mr. Choate said on that occasion tells the story of the window and records his own feeling about it; to wit:

"My Lord Bishop, I may be permitted to state in a few words my object and purpose in presenting the window to the Cathedral. I desired to signalize my long residence in London by an appropriate gift which should be in itself emblematical of the deepseated and abiding relations of friendship which happily unite our two countries. As a loyal son of Harvard, I thought that nothing

could be more fitting than a permanent memorial here of the principal founder of Harvard University. John Harvard was born in this ancient borough, close by the end of London Bridge, and baptized in this venerable church in 1607, almost three centuries ago. Educated at Emmanuel College in Cambridge, where he spent eight years, during at least four of which Milton was at Christ's, he and Milton received substantially the same nurture and discipline, and must often have been thrown together. At any rate, he imbibed something of the same spirit as Milton, for his contemporaries speak of him as a scholar and pious in his life. Seeking larger freedom of thought than could be found in the London of that day, he made his way to Massachusetts, and there, within two years of his arrival, he died, prematurely, as it then seemed, but in the fulness and perfection of time, as is now manifest; for, finding the infant colony struggling without means to establish a college in the wilderness, in the first decade of its settlement, he bequeathed to its foundation his library and half of his considerable fortune, and, what was better still, his name, which has now become so illustrious. The colonial record is quaint and touching:—'After God had carried us safe to New England and we had builded our homes, provided necessaries for our livelihood, reared convenient places for God's worship, and settled the civic government, one of the next things we longed for and looked after was to advance learning and perpetuate it to posterity, dreading to leave an illiterate ministry to our churches when our present ministers shall lie in the dust. And as we were thinking and consulting how to effect this great work, it pleased God to stir up the heart of one Mr. Harvard (a godly gentleman and lover of learn-

ing then living among us) to give the one-half of his estate (it being in all about £1,700) towards the erecting of a college, and all his library. After him another gave £300, others after them cast in more, and the public hand of the State added the rest. The college was by public consent appointed to be at Cambridge, a place very pleasant and accommodate, and is called according to the name of its first founder, Harvard College.' It assumed in its arms, as you will see in the window, a double motto —*Veritas*, truth, a word broad enough to embrace all knowledge, human and divine; and, what meant the same thing, *Christo et Ecclesiæ*, to Christ and his Church, that the supply of godly ministers might never fail.

"And now, after the lapse of three centuries, the little college in the pathless wilderness has become a great and splendid University, strong in prestige and renown, rich in endowments, and richer still in the pious loyalty of its sons, who supply all its wants upon demand with liberal hand. It is not unworthy to be compared with Oxford and Cambridge, those ancient nurseries of learning from which it drew its first life. And the name of John Harvard shares the fame which mankind accords to the founders of States. From the beginning until now it has occupied the foremost place in America as a radiating source of light and leading. In all the great movements of progress by which the United States have advanced from that little handful of storm-swept immigrants on the Atlantic coast to the Imperial Republic of to-day, Harvard University and its sons have had their full share; and without disparagement to her younger sisters, who are many and great, it may truly be said that, as she was first in time, she has always been first in position and influence; and especially in the mat-

ter of education, which is and always has been the chief industry of America, she has always led and still leads the way. So considerable have been the contributions of her sons to the public and social and intellectual life of the nation that, if all other books and papers were destroyed, its history could be fairly reproduced from the Harvard University Catalogue, and from what is known of the lives of the *alumni* there registered. And if you ask if she is still true to her ancient watchwords *Veritas* and *Christo et Ecclesiæ*, I can answer that, in our own time, in a single quarter of a century, she has sent forth Phillips Brooks to be a pillar of Christ and the Church, and Theodore Roosevelt to be a champion of the truth, and thousands more who in humble spheres follow in their footsteps and share their faith and their hope.

"Thus the name of John Harvard, unknown and of little account when he left England, has been a benediction to the new world, and his timely and generous act has borne fruit a millionfold. Coming back to the very beginning of things, we are here to-day to lay a wreath upon his shrine. I hope that this memorial, which the Dean and Chapter have kindly consented to accept from my hands, will long remain for Americans to come and see the very spot where one of their proudest institutions had its origin, and to remind all Englishmen who visit it how inseparable we are in history and destiny. I hope, also, that it may tend to keep alive the kindred spirit between the Universities of the two countries; for Harvard is just as surely the offspring of Cambridge and Oxford, and the own daughter of Emmanuel, as old England is the mother of New England. In the earlier period of the colony we had one hundred teachers from Oxford and Cambridge, and of these seventy were

from Cambridge, and of these again twenty were from Emmanuel. So long as ideas rule the world let all the Universities of both countries stand together for truth, and with one voice let them say to the youth of both lands, 'Take fast hold of instruction. Let her not go, for she is thy life.' I am under deep obligations to the Dean and Chapter for consenting to receive and cherish this gift, and to Mr. LaFarge, the distinguished artist, for the noble manner in which he has designed and executed it."

On May 29 Mr. and Mrs. Choate called at Buckingham Palace and said good-by to the King and Queen, and on the next day they sailed for home.

CHAPTER IX

PRIVATE CITIZEN AND PUBLIC SERVANT

WELCOMED HOME BY THE PILGRIMS AND BY THE UNION LEAGUE CLUB —LAW PRACTICE—POLITICS—DINNERS—PUBLIC SERVICE—THE SECOND HAGUE PEACE CONFERENCE—LETTERS FROM HOLLAND—HIS OWN ACCOUNT OF THE CONFERENCE'S ACCOMPLISHMENTS—MR. SCOTT'S ESTIMATE OF MR. CHOATE'S PART IN IT—OTHER COMMENTS —MR. CHOATE'S OPINION OF "ALLIANCES" IN 1916—SUPPORTS TAFT FOR THE PRESIDENCY—FAMILY CORRESPONDENCE—ADDRESSES ON CHARLES F. McKIM, FLORENCE NIGHTINGALE, AND MARK TWAIN —LINCOLN CENTENARY—DINNERS AND SPEECHES—LORD KITCHENER'S VISIT—PUBLISHES ENGLISH ADDRESSES—IN COURT—MR. SOUTHMAYD'S DEATH—EIGHTIETH BIRTHDAY—GOLDEN WEDDING—BACKING PRESIDENT WILSON—AN OCTOGENARIAN'S DAY

A large, distinguished, and lively company, including several Ambassadors, Lord Roberts, Mr. Bryce, Lady Lansdowne, and a score or more of others, saw Mr. Choate and his family off from Euston Station on May 30, 1905. He got to New York on the 8th of June and was welcomed on the 9th at a great dinner of the Pilgrims of the United States at the Waldorf-Astoria, with Bishop Potter in the chair. The Pilgrims should not be confused with the New England Society. The Pilgrims were of much more recent origin, with branches in New York and in London, and apparently with the general purpose to promote amity between the United States and Great Britain. It was an amusing dinner of course, with Bishop Potter and Mr. Choate both in excellent form. The bishop told how when Mr. Choate was riding on a bus in the Strand a young woman asked him if he was not

Bishop Potter. That, he said, was the turning-point of Mr. Choate's life. Mr. Choate said he was once told he looked like Bishop Potter, and when he blushed, his informant said: "Oh, yes, sir; the likeness is wonderful, only the Bishop never looked half so clerical."

The more substantial part of Mr. Choate's address, not including this chaffing, is in the volume of his "American Addresses." He gave some account of his stewardship, speaking of the two Presidents that he had served under and of the two Monarchs, Queen Victoria and King Edward, with whom his office had brought him into relation. He also spoke of the "two great and difficult questions which threatened to disturb, and did in fact disturb, the perfect harmony which ought always to prevail," and which had been forever disposed of and set at rest. Those were the matters of the Alaska Boundary and the Hay-Pauncefote Treaty. He spoke also of the need there was of providing a house for the American Ambassador in London, and forthwith it was proposed at the dinner to raise a fund for that purpose and subscriptions were offered; but nothing came of that, and of course the obstacle to providing permanent residences for our Ambassadors is not the cost, nor any scarcity of funds, but the difficulty of persuading Congress that it is a desirable thing to do.

Four nights later there was a dinner for him at the Union League Club, where there was much pleasant discourse, especially from Mr. Root.

Mr. Choate never retired from the practice of law. He took law cases after his return from England and continued to take them, but he never again spent himself in professional work as he had done before he became Ambassador. In a letter written about a month

before he left England, in reply to a request that he should accept a retainer in an important case, he wrote:

"After fifty years of hard work I feel that I am entitled to a holiday and to lighter work hereafter. So I have long ago resolved not to plunge into the rough and tumble of the profession as I was always ready to do. At the same time I shall hardly be content to do nothing, and an occasional argument and acting as counsel out of Court would suit me better than to be idle.

"I haven't seen much about Mr. ——'s controversy, but I imagine it will involve great detail, and heaps of figures which were always my particular aversion, and are more so now than ever."

The day following his letter he cabled that he would accept a retainer when he got home.

So he did in a measure go back to professional work, and one saw him down-town and coming for his luncheon to the Down Town Club as in times past, but his most important calling in these later years of his life was to be a public institution, responsive constantly to appeals for speech or service for causes that seemed to him to deserve his help. When he got home from England he was seventy-four years old. As has appeared, he went on going to dinners and making discourse, which never ceased to be acceptable and never at all diminished in charm. In this year that he got home William Travers Jerome ran on an independent ticket for re-election as District Attorney because the regular party nominations for that office were not satisfactory. Mr. Choate pitched in ardently to help on Jerome's campaign.

He spent the summer in Stockbridge, and in October

one finds him coming to town again. He was the guest, along with General Horace Porter, of the Chamber of Commerce at luncheon on October 17. On October 21 he was the guest of honor at the dinner given by the Lotos Club. Writing to his daughter the next morning he says:

"Behold me in New York the morning after the Lotos dinner, up at sunrise and ready to take the 9.31 train on the Harlem which reaches State Line at 2, where I hope to be met by the motor.

"I enclose a very scattering account of the dinner from the morning *Sun*. There was a great deal of fun and good feeling, and if they wouldn't 'lay it on so thick' it would have been quite as enjoyable to me as it evidently was to them. But moderate praise and eulogy seems to be impossible here. I warned them against the killing pace at which everybody in New York is moving, and held up the example of the English courts and lawyers in working never more than eight weeks on a stretch and then having a vacation of ten days or a fortnight besides their ten weeks in the summer."

In that same speech, as reported in *The Sun*, he spoke of Mr. Hay, who had died, as one of the men whose names would stand imperishably in the annals of the American people, in the history of diplomacy, and in the history of the world. He also said: "While I was in England I grew vain and proud of my country, when all the people surrounding me were growing prouder every day of the people who were descended from the same stock with them. The longer I stayed away the prouder I became of the land that gave me birth, and now that I have returned and studied the things I have seen, I believe it occupies the most promising position in the world."

On November 1, at Carnegie, Hall he made a speech for Jerome that is still delightful reading. He was one of those who spoke at the meeting on November 13 in the United Charities Building in memory of Mrs. Josephine Shaw Lowell. A fragment of what he said in speaking of her, as a newspaper reported it, is worth transcribing:

"You know our own dead often exercise a very much more potent influence over us than any of our living associates. Time cannot loosen their hold on heart and mind. In one sense they never come back. In another and actual sense they are always coming back, especially in our hours of peril. We gain more support from them than from any living associate.

"Just as we hear distinctly the voice of a friend in Boston or Chicago over the telephone, and can tell whether it is a joyful or a sorrowful voice, so through the long distance telephone of time we hear voices with equal distinctness. In dreams—if they be dreams—we see the forms of our own dead. In danger we feel the support of their loving hands."

He writes from Stockbridge to Mrs. Choate, November 29:

"Yesterday I spent a good deal of time in reading over Effie's letters to Nellie Joy—or part of them, for they cover a great many years. In truth they give a very detailed narrative of our whole happy family life in those years, and they must be carefully gone over, and arranged in order of date. She did lead a very happy life until that last illness set in. There is a lovely lock of her hair cut off in 1879. I think it must have been

when she had the scarlet-fever—which must be somehow set and preserved. The letters show her fine character and excellent intelligence and her devotion to us all. She tells many stories about Jo which I had quite forgotten and which are very funny—his devotion to Santa Claus at Christmas time, that Jo really believes in Santa Claus and thinks he lives down the register. So he called down there what he wanted, and they, she and Mabel, replied from below. So he thought his calls were answered by Santa Claus himself."

There was a dinner of the Chamber of Commerce on November 1, and he and General Horace Porter were speakers at that, and again they both appeared at the St. Andrew's dinner on the 2d of December.

On December 22 he came once again to the dinner of the New England Society and told his recollections of what it was in 1855, when he first joined it. That discourse, also included in his published addresses, contains the story of the presence of Doctor Holmes and old John Pierpont at that dinner, and of how Doctor Holmes seemed to Doctor Pierpont not upstanding enough for the cause of liberty, and how the old antislavery minister, John Pierpont Morgan's grandfather, set him right.

Throughout the winter, occasions kept calling to him, and he responded to some of them. He talked to the Radcliffe alumnæ on January 13; he spoke for Tuskegee on January 22. He went to Ottawa as the guest of the Canadian Club on the 1st of February, and made a speech there.

On March 13 he delivered an address, included in his published addresses, before the Bar Association of the City of New York about James C. Carter, who had died

about a year before. On March 29 he appeared at a meeting in behalf of the blind; and so on, and so on.

In due time he got back to Stockbridge and writes to his daughter from there:

" * * * I have just been motoring to New Marlboro —an excellent ride, with M—— —— *and Togo*, who did himself great credit and behaved very well. M—— says that —— and —— did not make any great progress. Although every facility was given them they did not exhibit any very serious symptoms. 'But M——,' said I, 'do you know the symptoms?' 'Oh, yes,' said she, 'I think I do.' 'Well,' said I, 'but I fear you only know them *objectively*, not *subjectively*.' 'Ah,' she replied, 'I have felt them myself to some extent.' And so, and so, and so, we whiled away three hours on the road to New Marlboro and back. * * * "

Perhaps it was at Stockbridge, perhaps before he got there, that he did what was for him an unusual thing in writing an introduction to the posthumous novel, "The Dream and the Business," of Mrs. Craigie, whom he had known well in England and who had died since he left there.

In October, 1906, he was in New York again, and writes on the 4th of that month from the Fifth Avenue Hotel to Mrs. Choate:

" * * * I had a delightful present today from Mrs. Jim Sterling. In looking over her husband's papers she found the letter which you wrote to him on the *10th of July*, 1861. You can imagine what it was all about. It was a long and very dear letter, and perhaps if you are good I shall let you see it on my return."

On October 16 he writes to her:

" * * * Today after filling my engagement at the dentist's I have spent mostly at the Club, mooning what I should say at the Cooper Institute meeting tonight and am ready for them only somehow I don't feel quite so enthusiastic about such things as I once did. * * * "

Not quite so enthusiastic at seventy-five, but still very much in the ring. The political issue that autumn concerned judges and whether a Murphy-Hearst ticket should be elected. That was doubtless the occasion of the Cooper Institute meeting, as it certainly was of a big meeting at Carnegie Hall on October 24, where Mr. Choate was the leading speaker.

He appeared for the American Sugar Company on November 20 in a trial about rebates. He presided and made an introductory address (included in his published addresses) at the Carl Schurz memorial meeting on November 21, and helped out the Natural History Museum on December 20 at a ceremony of acceptance of busts of eminent citizens that had been given to it. One finds him on January 16, 1907, delivering an address (included in his published addresses) before the New York State Bar Association at Albany on the English Bar, and on February 3 making an address on Lincoln under the auspices of the Board of Education at the Cooper Union, telling his audience how it was in that same place that he first heard Lincoln speak.

A little later at a Chamber of Commerce meeting he pleaded to safeguard the Adirondack forests, and pleaded again on April 3 in court to defend the railroads against the Public Utilities Bill.

Then he goes to Europe as first delegate to the Second Hague Peace Conference, and there are letters again.

To His Son

"On Board R. M. S. *Adriatic*
30 May 1907.

"DEAR JO:—

"After a very fine voyage we have just left Cherbourg for Southampton and expect to be in London by eight o'clock all much improved by the voyage and very well. So far as I can gather from the London papers which came aboard this morning, the programme for the Hague Conference is not settled yet and Sir Edward Grey said in the House of Commons yesterday that 'as at present advised' the Conference would open on the 15th of June. Our Government had not prepared its instructions when I left but perhaps that was because the Secretary of State (Mr. Root) had spent the week at New Haven delivering law lectures. I still think that the immunity of private property at sea will be the one important question. Whether England is prepared to yield the position she has held so obstinately and come in to our view, that *all* private property at sea except contraband and violating blockade ought to be exempt from capture and destruction, I hope to learn when we get to London. It seems so manifestly for her interest, that I hope she will. * * * "

To the Same

"Delegation of the United States of America
to the Second Peace Conference at
The Hague, 2 August 1907.

" * * * Our Conference is beginning to move a little more rapidly, but I have no idea that we shall be able

to get away from here before Sept. 1st. We have a strong hope of getting through our plan for a permanent and continuous Court of Arbitration at The Hague, for which I made the opening address yesterday, and if we do that I shall feel that the work of this Conference will compare well with that of the First, and that we shall by no means have come here in vain. I hope to get a printed copy of my address tomorrow and to send it to you. We have necessarily had a great deal of junketing but I think it is about all over now. Last week on the invitation of the Belgian Government we made a journey to Bruges—one of the most picturesque and mediæval of the cities hereabouts, and were treated to the show of the Tournament of the Golden Fleece, an excellent reproduction of the days of Chivalry, and were received at a State luncheon in a grand old Stadt House. As the excursion lasted from 7 in the morning till midnight, you can judge that we are all very well. Tonight our Delegation gives the last of its dinners to our fellow delegates, four dinners of 50–80–60 & 90 guests respectively —all of which have been quite successful. Then we are to have two private dinners of 24 each to return the civilities we have received from people here. * * * "

(August 4.) " * * * The Queen Mother's birthday was celebrated day before yesterday, chiefly with noise and Chinese lanterns. The lady in whose honor it was done, stayed out of town to avoid the uproar, but the people here are very easily amused, as ordinary entertainments which are found in other places, seem not to exist here. * * * "

(August 29.) " * * * We are now in the critical days of the Conference which will determine what mea-

sures of importance are to go through. I think we shall save the agreement that force shall not be resorted to for the collection of contractual debts until an arbitration has been had or refused—the International Prize Court of Appeal, and some general arbitration agreement however weak, and some agreement as to the necessity of a Permanent Court of Arbitration and as to its Constitution, even though it be found impossible to agree upon a mode of distributing the Judges which may have to be left to the Nations or to another Conference. On the whole, we are doing pretty well. * * * "

To His Wife

"I have been so busy from the moment you left, as hardly to know that you were gone. We seem now really to be trying to make up for the time lost last week, and everything is humming. Yesterday we got through our Court project, in the shape of a recommendation to the Powers to adopt the project which we have been elaborating with so much care, and to establish the Court upon it when they have arranged a plan for the selection of Judges. It was by no means all that we wanted—but Germany & Great Britain turned against us on our plan of electing Judges by a vote of the nations, being afraid that it would result in their being left. But it will do—and is a tremendous advance on the situation in the last Conference, when the idea of such a Court was scouted as an impossibility.

"Today, in the forenoon, the forty-five delegates came to a *unanimous* vote in favor of one resolution about the next Conference, and that we regard as quite an achievement—and this afternoon we spent three hours

on the dreary subject of submarine mines without making much progress. * * * "

To the Same

(Sunday evening.) " * * * Yesterday I gave up our rooms engaged on the *Kronprinzessin Cecilie* and am writing to the White Star and the North German Lloyd for later dates. What a bore that we cannot find out when this blessed Conference will end! I think now it may be about October 10th. But there are quite a number of difficult questions yet to be settled or smothered. * * *

"Speaking of hats. I saw an excellent selection in a shop window in Harlem which might suit you well and save you much trouble.

"I think you would have enjoyed the Queen's party, as everybody was there you know. The Prince has little sense of humor. When I told him that I had said to Her Majesty that if we stayed here much longer I should apply to become a Dutch subject, he seemed to think a minute and then said, 'What would you want to do that for?'—which I thought was good."

To the Same

(Tuesday evening.) "This is the 24th of September and this morning I awoke at quarter past six, and was wide awake at once, for just at that minute forty three years ago we heard that first little cry which made such a revolution in our lives, and was the beginning of so much joy & so much sorrow. Perhaps you didn't hear it just then. Ah! If he had lived what a difference it

would have made—and how much we should have leaned upon him as we grow older—but his fine life & character will be a joy forever."

To the Same

(Sunday evening.) "This is my last hour at The Hague and I feel as if another long chapter in my life had closed. Nothing remains of the American Delegation except Mr. Hale and Col. Blanchard who go to Paris tomorrow. * * *

"Yesterday and today I have been out all the time, walking yesterday morning on the beach and the promenade at Scheveningen, and going out as far as the Monument which I had never visited before. * * * In the afternoon I explored Delft on foot, going there by train —one gets but little idea of the quaintness and picturesqueness of the old place by simply driving through in a motor, but I walked through the oldest part of the town and found old gateways dating in 1600—a wonderful old City gate with turrets which must have been built before that, arches and bridges which must have antedated William the Silent, and canals whose ancient *smell* testified that they were older still. On the whole it was all well worth an afternoon's excursion. In the afternoon the entire remnant dined at the Hills'* whose indefatigable kindness holds out to the end.

"Today I persuaded Mr. Hale to accompany me to Delfts-Haven to see the place from which the Pilgrim Fathers coming down from Leyden, embarked on the *Speedwell* to join the *Mayflower* at Southampton. * * *

"I see that the London papers, who have always been in an illhumor about the Conference, are doing their

* David Jayne Hill, American Minister at The Hague.

best to decry its work, but by & by when they have had time to compare the situation as we left it with the situation as it was left by the First Conference, they will do us better justice. * * * "

To His Daughter

"The Hague, 19 Oct. 1907.

"We are certainly going home at last, to my infinite relief. Today the Conference adjourned sine die—after a meeting at which the dullest possible speeches were delivered by Mr. Loo, Nelidoff, Beaufort, VonTets, Isudzuki, Triana and Kahn, and every one was so pleased when it was all over. This morning we signed the Acte Final as it is called, and I took a walk in the woods. Then I have our passages home—yours, Mama's and mine, Margaret's, Osborn's and Sydney's, and discharged all my indebtedness to the servants, by giving our sandy haired waiter £20, who immediately handed it to the headwaiter, and both immediately deluged me with thanks. I told the chambermaid that Mama's gift was only part of what she was to have, and am to hand her ten florins more before I go, or thereabouts. Then Mr. Malloy's funds take care of all the staff of the head porter and all that business is out of the way.

"But my greatest achievement was yesterday getting Harper and the motor off. It goes by the *Minnehaha* on Saturday, and he by the *Frederick the Great* on Sunday and will get to N. Y. two days in advance. They gave him a first class ticket for a 2d. class fare, $60., and he went off apparently very happy. The greatest difficulty was in getting it from here to London, and he couldn't possibly have done it but for the help of the Doctor with the impossible name at the Company's office here, and of Mr. Feterich, the U. S. Despatch agent in

London. It went from Rotterdam to London by the Batavia line. Its case was waiting for it at the *Minnehaha* and Mr. Feterich sent his expert down from London to help Harper get it off, the same man who had helped him land it in May. In Rotterdam the Dutch people at the steamer made every possible trouble. They never heard of such a thing as shipping a motor the same day it arrived in Rotterdam. It must wait and become absolutely cool, etc., etc., etc., etc., etc. The Doctor kept the wires hot all day, and at last just 15 minutes before the boat sailed, he got a despatch saying that it was safely on board. It had to be laden on the *Minnehaha* today; hence the need of despatch. As I have got no telegram from them to the contrary, I know it is all right.

"Almost all the European Delegates are off tonight. The more distant ones, including ourselves, are to sign the various conventions tomorrow, and I have my ticket for stateroom on the Flushing boat Sunday night. Today I sent farewell flowers to Madames de Grovestine, de Schloezer and Boreel, and have charming notes from them.

"Hale has been very good to me. He took me to dinner at the Club last night and dines with me tonight. The Club has not dissolved in tears after all. It sat up nearly all night last night.

Ever your loving PAPA."

To the Same

"The Berkeley Hotel,
Piccadilly, W. Oct. 20, 1907.

"I arrived here this morning after a really fine night on the Flushing route—infinitely preferable to that horrid

night we passed by the Hook of Holland—an excellent boat with a sound sleep all the way. * * *

"I lunched at Dorchester House and then went to the Potter-Cary wedding with the Carters, and to a reception at Minnie Davenport's house in Montpelier Square, met Nellie Joy, and several other old friends.

"Tonight I have had —— and her husband to dinner. He seems to be a masterful man and most agreeable and I think she has found her match. She never knew him until two months ago, and was married after an engagement of six weeks. She seems very happy, and I should think everything promised well. It is his second marriage—his first wife of whom he spoke freely was a St. Louis woman.

"I have sent Osborn off to see his mother and sisters who live in Bedfordshire, and he is to return on Wednesday. He seemed much delighted when I proposed it to him.

"On Wednesday I am to dine with my brother Benchers of the Middle Temple, their annual dinner to the Benchers of the *Inner* Temple.

"I found another great diplomat on the boat, Charley Richardson, Secretary at Copenhagen. He goes with us on the *Cecilie* to America on leave. I asked him if he was married. He said—No, but he hoped to be very soon. 'What,' said I, 'are you engaged then?' But he said no—so the field is open. London is empty and very delightful, and I wish you were here. * * * "

There is a good deal more to tell about The Hague Conference in 1907 than is told in Mr. Choate's letters. As said, he was the head of the American Delegation, which included General Horace Porter, David

Jayne Hill, Minister at The Hague, Rear-Admiral Sperry, General George B. Davis, William I. Buchanan, James Brown Scott, an accomplished expert on international law, U. M. Rose, and Congressman Richard Bartholdt. As for what was accomplished, let Mr. Choate himself tell about it. He did so in two lectures delivered at Princeton University in 1912, which were published with notes and an introduction by Mr. James Brown Scott, but closer to the event was the story as he told it in an address on Washington's Birthday, 1908 (less than six months after he got home), on University Day at the University of Pennsylvania, when he received an LL.D. and was the chief speaker of the day at the Academy of Music in Philadelphia. In his address he talked about the Conference and a good deal about President Roosevelt, who had sent him there. Paying respect to the day and the occasion, he considered these topics from what he believed would have been Washington's point of view, taking note of the growth and increase in power of the United States to a point where, he said, "if this country is preserved in tranquillity for twenty years longer, it may bid defiance in a just cause to any power whatever." He spoke of the Panama Canal, which he was sure would "appeal most strongly to the aspirations of Washington's great American heart," and of the cruise of our fleet around the world which Roosevelt had ordered, and which also, the speaker thought, would have gratified Washington. He went on about The Hague Conferences as follows:

"Let us recur to our original text from the Farewell Address: 'Cultivate peace and harmony with all nations.'

"It was on that errand that we were sent to The Hague with instructions that might well have emanated from

the hand of our great founder. Though these have never yet been made public, I may be pardoned on this occasion for quoting a single paragraph, to show in what a pacific spirit our President through his eminent Secretary of State (Mr. Root), can instruct his emissaries sent on peaceful missions.

" 'In the discussions upon every question it is important to remember that the object of the conference is agreement and not compulsion. It is important also that the agreements reached shall be genuine and not reluctant. Otherwise they will inevitably fail to receive approval when submitted for the ratification of the powers represented. Comparison of views and frank and considerate explanation and discussion may frequently resolve doubts, obviate difficulties and lead to real agreement upon matters which at the outset have appeared insurmountable. It is not wise, however, to carry this process to the point of irritation. After reasonable discussion, if no agreement is reached, it is better to lay the subject aside, or refer it to some future conference, in the hope that intermediate consideration may dispose of the objection.

" 'Again, each conference will inevitably make further progress, and by successive steps results may be accomplished which have formerly appeared impossible. You should keep always in mind the promotion of this continuous process through which the progressive development of international justice and peace may be carried on and you should regard the work of the second conference, not merely with reference to the definite results to be reached in that conference, but also with reference to the foundations which may be laid for further results in future conferences.'

"It was in this spirit that we went and labored—and with surprising results in the way of progress.

"I am aware that widespread misapprehensions have existed as to the work of the conference, and I gladly avail myself of this opportunity to correct some of these, and to give you a hasty glimpse at least of some of the valuable results achieved.

"Because we did not do everything that was expected, it was asserted that we did nothing. Because in many things we did not reach final and definite results, but left them, as we were instructed to leave them, for future conferences or intermediate diplomacy to carry on, the world was told that there were no results.

"It seems to have been forgotten that we were not a Congress or a Parliament, entitled and bound to force through measures for which a majority might be obtained, but strictly a conference, met as Franklin said in the Federal Convention—not to contend, but to consult, in a friendly and mutually yielding spirit, on questions of general concern to all, but on which interests and opinions might radically differ, and which could only reach conclusions with substantial unanimity.

"It is only by comparing the situation in which each important question considered had been left by the first conference with the position in which it was placed by the action of the second, that any just idea can be formed of the advance or progress made in each, and in this view I may be pardoned for stating, in respect to four or five of the measures which we were instructed to advocate, their relative situations before and after the conference.

"First, there was that great American idea of making commerce free from the perils of spoliation by war—the immunity of enemy's private property in enemy's

merchant ships in case of war. For more than a hundred years the United States had advocated this, ever since Franklin in the negotiation of our Treaty of Peace with Great Britain in 1783, had tried unsuccessfully to have it incorporated as a cardinal article of that convention.

"At the first Conference in 1899, although presented by our government in an able memorial signed by the whole delegation, and a powerful address by Ambassador Andrew D. White, it was refused a hearing on the technical plea that it was not embraced in the programme, although to the common mind it seemed to be as much so as many other subjects that were considered and acted upon—and it was referred to the next Conference. There, however, it was fully and fairly discussed, and for some weeks intelligently considered and finally adopted by a vote of two to one—twenty-two nations to eleven—Germany alone, of the great military nations, was with us—the others vigorously and consistently opposed on the openly avowed ground that they would not give up the right to strike at the most vulnerable point of their enemy on the outbreak of war. It cannot be doubted, however, that the moral effect of the vote of such a large and emphatic majority of the nations will go far to dissuade future combatants from the exercise of the right, or to lead them to agree together not to exercise it during the war—and the way is now open to the twenty-two nations who voted for the suppression of the right to enter into general or separate treaties agreeing to abandon this relic of barbarous warfare.

"Next, an International Court of Appeal in Prize was agreed to by an actually unanimous vote of all the nations. Everybody knows how prone all national courts

of prize in every country are to decide in favor of their own captors, sitting as they do in the territory of a belligerent, and in the very heat of conflict. It is unnecessary to tell you how American neutral commerce has suffered from this cause from the time of Washington down to this day. As we expect generally to be neutrals in all the future, as we have been generally in the past, the establishment of this court—the first real international court ever assented to by express agreement of all the nations—is an immense boon to American interests. It was brought before the Conference for final adoption as the joint proposition of Great Britain, Germany, France, and the United States, with a scheme prepared for the constitution and organization of the court, its powers and procedure, and the mode of selecting its judges, all of which met with universal consent.

"Then there was our proposition which was introduced and conducted with such skill and tact by General Porter, that in the case of ordinary public debts founded upon contract, claimed to be due from one nation to the citizens of another, force should not be resorted to in any case for their collection, until arbitration had been offered and refused, or if accepted only in case its award had not been complied with. This proposition had no particular relation to our Monroe Doctrine, for it applied to all nations alike, great and small, debtor and creditor, European and American, but it does put an effectual barrier in the way of blockading a debtor State, or seizing its territory or revenues, as a means of compelling payment of its contractual debts, until arbitration has been had or refused—and will greatly tend to the peaceful settlement of all such controversies.

"And who will say that this was not a great step for-

ward? Finally, the treatment by the Conference of the great question of arbitration—arbitration the only substitute yet discovered for the arbitrament of war in international disputes—marked a still further advance in civilization.

"In the First Conference in 1899, the very idea of a general agreement of arbitration of such a nature had been abandoned as an impossibility. But now from the time of the introduction of the proposition by us on the 15th of July until the early days of October it was debated with great ardor and interest, but with uniform good nature—debates in which almost every nation took part—and being brought to a vote in the first commission to whose care the question was intrusted, it was adopted by a majority of more than four to one—thirty-two to thirty-five being in the affirmative on the several clauses of the proposition, and five to eight in the negative. This decisive vote in a Parliamentary body would have finally settled the question. But ours was a Conference only, and not a Parliamentary body, and here our instructions came in, not to press any measure to the point of irritation, and not to force a reluctant consent which might be repudiated by the ratifying powers.

"Although it was proposed that only consenting nations should sign under the ægis of the Conference, leaving it for others to come in afterwards or stay out as they pleased, yet the five dissentients resisted so stubbornly that fears were entertained of serious discord if the matter were further pressed, and it was generally agreed to go no further, but to adopt instead a rather colorless vote adopting the principle of general arbitration, and recognizing that there were cases that should be so disposed of. But on this substitute we abstained from voting,

on the ground that it was a decided retreat from the advanced position to which the great principle had been carried by the previous vote upon our carriage of the measure.

"But who can deny the tremendous advance made on this momentous subject since it is now open to the thirty-two nations that upheld our proposition to enter into general or special treaties to carry it into effect, or that this great weight of international public opinion will ultimately persuade the dissentients to come in?

"In the same connection our project for the creation of a permanent international Court of Arbitration, to which all controversies of an international character might be voluntarily submitted at the option of the parties for settlement, after being fully debated was adopted by general consent, it being agreed with substantial unanimity that such a Court should be established, and a constitution for its powers, organization and procedure was submitted to the constituent powers, with a recommendaton that the Court be established as soon as the powers could agree upon the number of judges and the mode of their selection.

"It was upon this last feature that the Conference found itself hopelessly divided—the method that had been unanimously adopted for the Court of Appeal in Prize, for a graded distribution of the judges by years among the different nations, in some proportion to their relative importance, giving to the eight great powers each a judge all the time in the prescribed period of twelve years, and the others graded periods for eleven years down to one, as in the case of Panama, was now rejected by all the smaller powers, who claimed that as they were equal in sovereignty, and had equal votes in

the conference, they must have an equal judicial voice in this Court of Arbitration. The greater powers could not agree that technical equality of sovereignty made substantial equality of power, and so this knotty question was left for the powers to settle and establish the Court as I have no doubt they will do in the quieter atmosphere of diplomacy.

"We struggled hard to bring all the powers to consent to some method of an election of judges, even going so far as to offer for ourselves to run the risk of being left out of the court, as the result of such election, but England and Germany who had stood loyally with us throughout were unwilling to take that risk.

"When it is remembered that on the First Conference no progress whatever was made with this project, the advance accomplished is most notable.

"From the days of Washington until now arbitration has been with the government and people of the United States the favorite method of settling all international controversies, and we have resorted to it habitually, and there can be no reasonable doubt that in good time the court and the agreement for which we were so urgent will be established by general consent.

"And, last of all, a resolution was unanimously adopted which secures the meeting of another Conference to carry on the good work, without waiting for any particular power to call it, and the preparation of its tentative programme by an international committee who are also to propose a scheme for its organization and procedure.

"Judge, then, from these acts accomplished and these advances made, whether the Second Peace Conference at The Hague was a nullity, or whether it did its full share to advance the cause of international justice and peace. What I claim is that in what it did, and what

it refrained from doing, it was in direct conformity with the principles of the Farewell Address, and that Washington himself, could he have had cognizance of its proceedings, would have given it his cordial support."

In that address Mr. Choate told pretty much all that was necessary to give one an idea of what the Conference accomplished, but did not throw any more light than he could help on his own part in the accomplishment. As to that, Mr. Scott's introduction to the Princeton lectures is helpful. Mr. Scott points out that a union of a loose sort, as distinct from a political union, does exist between the nations that compose what we call society, that the very expression "society" implies such a union. He said that the purpose of the Hague Conference as defined by Léon Bourgeois is to make of that loose society a society of law, that to do that there must be universal assent of the nations to an international system, the acceptance by all of them of the same conception of law and precise application of these accepted principles to all international relations in peace and in war. He goes on:

"Supposing, however, an agreement upon the principles of law which should regulate the conduct of nations in their mutual intercourse, we know that differences of opinion are sure to arise between nations, as between individuals, regarding the interpretation and application of the law. Therefore, there should be called into being international tribunals for the interpretation and application of principles of law, just as national tribunals exist for like purposes. Mr. Choate devoted his energies to the creation of two such tribunals, the International Court of Prize and the Court of Arbitral

Justice. Through his timely intervention and conciliatory attitude in the question of the prize court, he was able to adjust apparently irreconcilable differences. He generously places the compromise to the credit of the American Delegation, but it was in fact his personal achievement, and the fundamental agreement upon the principles of an International Court of Prize is his contribution to the establishment of that Court. But the Prize Court deals with questions arising out of a state of war. It is essential to the ordinary administration of justice between nations that an international tribunal exist for the decision of controversies arising in time of peace, now fortunately the normal relation between states. Therefore, Mr. Choate urged upon the Conference, in season as well as out of season, the creation of a truly permanent court composed of judges 'acting under a sense of judicial responsibility,' to quote the happy phraseology of Secretary Root's instructions. After weeks of doubt and uncertainty, a project of thirty-five articles regulating the organization, jurisdiction and procedure of a truly permanent court of arbitral justice was adopted by the Conference, with the recommendation, as stated by Mr. Choate, that the court be established when the Powers had agreed, through diplomatic channels, upon a method of appointing the judges. This is also a triumph with which Mr. Choate credits the American Delegation, but the official acts and documents of the Conference tell another story, and history will count Mr. Choate as among the founders of the International Court when it has been established.

"But a law would be of little importance and international tribunals would be little better than empty courts unless there were an agreement by the nations

to observe the principles of law in their mutual relations and to submit to the determination of the courts disputes which arise concerning either the existence or application of principles of law. Therefore, acting under the instructions of Secretary Root, Mr. Choate proposed a general treaty of arbitration which pledged the nations to submit to arbitration differences of a legal nature and especially disputes concerning the interpretation or application of international treaties or conventions, reserving from the obligation to arbitrate disputes, which although of a legal nature, involve the independence, vital interests and honor of the contracting parties. After weeks of discussion and heated debate in which the leading delegates participated, the proposed treaty was defeated, primarily through the irreconcilable opposition of Germany. If Mr. Choate's intervention in the discussion of the Prize Court can be cited as an instance of gentle persuasion and of gracious and happy phrase, his addresses on the subject of arbitration glow with emotion and the intensity of conviction."

The despatch of the correspondent of the Paris edition of the New York *Herald* from The Hague on August 19 speaks of the critical condition at the Congress the day before, when the American proposal for a permanent court came near being wrecked, but was saved by the German proposition about Prize Court judges. It speaks of the effort to get something worth while out of the Conference, which up to that time had not done very much, and goes on to say:

"A delegate said to me today, 'We are more than ever convinced today that Mr. Choate holds the whole Con-

ference under his hat. He has acted as a big, broad-minded man, setting aside all matters of trifling details, and ever alive to a large, comprehensive view of the situation. Baron Marschall von Bieberstein has been splendid, whole-souled and admirable in the way in which he assisted and backed him up. You can compare Mr. Choate at the present moment to a man alone in a churchyard. He stands with his projects well and alive, while so many others have been buried, and he is very near the gate. The Americans have given their assistance in all directions whenever asked. They have no "axes to grind." They have, so to speak, thrown out planks all around, to try and save others floundering about in troubled waters.' "

Mr. Strong in his book about Mr. Choate quotes the political editor of *Gil Blas,* Comte de Saint Maurice, as saying of Mr. Choate:

"He is the *enfant terrible* of the Conference. He seems aware, neither of the grandeur of the mission intrusted to the delegates, nor of the personal majesty of their excellencies. He is barely a diplomat. He it is who, with an air of innocence, inserts into a discussion a few cold words which effectively shatter the grandiloquent bubbles of his colleagues. He it is who unsmilingly emphasizes some imposing puerility. It is he, always he, whose brief logic brings back to earth again discussions which have drifted into the pacific ether. What superb balloons he has thus pricked. What pretentious aeronauts has he brought to earthly realities."

The next Hague Conference was to have met in 1915. By that time the effort to save the world from war had met with a very considerable setback. It was very much

as though the patient whom the doctors were called to consult over had died. In the Great War restraints such as the two Conferences had so laboriously devised were very much like cobwebs in the path of a mad bull. Europe relapsed back into first principles. Inexpert people now, when they think of the Hague Conferences, wonder if anything is left of value of all that they contrived, and whether the new quest for world peace will follow the paths on the Hague map, or whether new pathfinders will blaze a new trail. What Mr. Choate himself would have thought about it if he had lived to see the war through, and what he would have thought about the League of Nations, it would be extremely interesting to know, but is hazardous to surmise. There is a letter of his to Mr. Moreton Frewen, dated from Stockbridge, June 30, 1916, which touches a little on these questions. He said:

"My Dear Mr. Frewen,

"I read your article on 'The Monroe Doctrine and the Great War' with great pleasure. But I find it far from easy to *agree wholly* with anybody or anything connected with our relation to the War. I can't agree with you that the Monroe Doctrine had much to do with bringing on the War; nor with Taft and Murray Butler that we should enter into a League to enforce Peace, which I regard as only another name for a League to make more war; nor with Eliot that we should enter into a League *permanent and offensive and defensive* with the Entente Nations to fight Germany and her Allies, because I think that would divide the world into two alliances ready to fight each other as they were before this horrible conflict began; nor with (Earl) Grey for a Federation of pretty much all the Nations.

"I am heart and soul for the Allies, as I believe most of my countrymen are, and I am sure they are going to win by putting Germany down. But I don't think that any of these questions can be taken up for serious consideration until that is accomplished and we see what there is left of the Nations engaged in the War. I hope there will not be much left of Germany or Austria and nothing of Turkey in Europe.

"I consider Wilson's idea that we may be called in to help arrange the terms of Peace as simply ridiculous. The Nations that are carrying on this War will settle the terms of Peace for themselves and will want no aid from us.

"As to Alliances, I still strongly incline to the opinions of Washington and Jefferson, that the true policy of this country is to form no Alliances Offensive and Defensive of a *permanent nature* with any Nation. If this was sound policy when we were an infant Nation, certainly it must be so now when circumstances have made us the strongest of all.

"You must take a great interest in our Election now pending, etc., etc.

Ever truly yours,

JOSEPH H. CHOATE."

This letter is interesting, but it only makes one the more curious to know what Mr. Choate would have thought of the League of Nations. So far as concerned the United States, everything happened after June 30, 1916. We got into the war, and our help in arranging the terms of peace ceased to be ridiculous.

But to return to the year 1908:

It was the time for choosing candidates for President.

Mr. Choate came out for Taft. The other candidate most considered by the Republicans was Mr. Hughes. Mr. Taft was nominated and duly beat Mr. Bryan without much trouble. It was after election that Mr. Choate, back in town from Stockbridge, wrote to his daughter (November 11, 1908):

"* * * Mr. Southmayd appeared at the office yesterday *in a yachting cap*, like Elbridge T. Gerry's—much to the amusement of everybody. He wouldn't sell his place in S. to anybody on any account, and he hopes that when he dies it will burn down with all its contents, so that nobody else can ever use his things."

To His Daughter

"8 East 63rd St.
19 Jany. 1909.

"* * * Yesterday and today I am spending some of the time that I expected to have in Washington in weeding out my Library—and am sending today 30 vols., most of them big ones, to the Astor Library which will make my shelves quite easy, and give me room for more. It is wonderful how many books one accumulates that are too good to give away, and not quite good enough to keep.

"William Phillips went back Sunday night. His promotion has been quite wonderful, as he has been advanced at one leap from a 'messenger' in the State Department at $900 a year to 3d Assistant Secretary of State with the same salary as Mr. Bacon, $4500. I think he will 'make good.' His two years in China, in spite of the typhoid fever, prove to have been a good investment. He seems to be *persona gratissima* at the White House. * * *

"I made him a special messenger to the President

(Roosevelt) in my place, to present an invitation from the Pilgrims to accept a Banquet after the 4th of March and before he sailed for Africa, to allow his old friends in New York to give him a greeting and a send-off. I thought if anybody could persuade him William could, but he telegraphed me last night that although he worked upon him with all his might he persisted in declining. The President seems to be having a bad time just now and will continue to do so, I think, to the end of his Term. All the hostility that he has been so studiously storing up in Congress for seven years is now coming back upon him. * * *

FATHER."

Mr. William Phillips had been private secretary to Mr. Choate in London and the Ambassador had broken all his rules in recommending him strongly to the President and Secretary of State for retention in the diplomatic service. Hence Mr. Choate's pride in his success.

To the Same

"Sixty Wall Street,
5 Feby 1909.

" * * * I've had quite a busy week. Monday night Mama and I went to an illustrated lecture on Lincoln at Mr. John S. Kennedy's which proved to be most interesting, and of course I had to say a little about Lincoln there.

"Tuesday I devoted to Albany and the State Charities which was constant work from the time I arrived until half past ten at night, for we had two long meetings —a tea which I like least of anything I know. You stand and receive and perspire freely and shake hands

without regard to the beauty of the shakee, and utter vapid nothings, and then there was a dinner of the workers which was not so bad. But I got back from Albany in time to attend the *Staats Zeitung* Dinner to our old acquaintance Count von Bernstorff which was really a fine affair, although being at the Manhattan Club, where they are not in the habit of giving big dinners, it dragged so that it was 10½ before the speaking began and I didn't get home till midnight. But I was very glad to go as we always liked von Bernstorff, and he has come to his Ambassadorship very early and after some valuable service. Mr. Bigelow even was at the dinner, but went home at 10:30. * * *

FATHER."

Nineteen hundred and nine was the year of the Lincoln Centenary. McClellan was the Mayor of New York, and there was a Lincoln commemorative meeting at the Cooper Union on the 12th of February, at which the Mayor and Mr. Choate made addresses, and Doctor Lyman Abbott furnished the oration.

To His Daughter (at Miss Tuckerman's in Washington)

"8 East 63rd Street,
Sunday, 18 April, 1909.

"What a lovely day this must be in Washington, for it is much the finest we have had here, and Washington just at this time is about three weeks ahead. This morning Mama and I took Jo and Cora in the motor over the new bridge and on to Prospect Park and Coney Island and as Cora had never seen these before she was much delighted, and we all enjoyed it very much indeed. At

Coney Island there were quite a number of people in bathing in the ocean, which I thought required much courage or much crankiness. Mama was much interested and had to disembark and lean upon the sea wall and watch them and smell the sea breeze, which was most refreshing.

"This afternoon they were here with the children, and while they were here Carrie Dahr and her boy came in. Then all three de Gersdorffs came in, so that we had altogether a children's party that you would have enjoyed very much. Mama had provided a lot of floating toys—ducks, geese, alligators, turtles and goldfish and a steamboat which when Jo wound it up would sail 'round the bath-tub, so we had a bath-tub party in Mama's bathroom where it seemed that Marion and Helen would fall in and be drowned.

"Walter Nettleton also came in later, and said he was waiting to hear from you and Emily (Miss Tuckerman) what you and especially she think about the Golf Club plans, now that she has got the Old Dwight Place. I congratulate her on that purchase. I think it must be called the Stockbridge Spinsters' Sunny Home. What a delightful point from which to watch the games.

"I went to Mrs. Robinson's dinner. It proved to be not *Mrs.* Robinson's at all, but her husband * had invited a few of us, Mr. Gilder, Mr. De Forest, Mr. Wheeler of Columbia College—only 8 in all to meet Prof. Meyer late of Oxford, now of Liverpool, University, a noted archæologist who is here to study the Cesnola Collection, of all things in the world.

"As I went up the steps of 84 Irving Place, it all at once came back to me that on the 24th of Septr., 1864, I

* Edward Robinson, Director of the Metropolitan Museum of Art.

went up the same steps and in at the same door to announce to the Leupps (our bridesmaids) the birth at quarter past six that morning (and it wasn't much after noon then) of our first child, our dear Ruluff.

"I ran up to Albany on Wednesday at 8:30 on the Empire Express, lunched at the Ten Eyck, appeared in the afternoon before the Judiciary Committee of the Senate, trying to defeat the effort of the Public Service Commission [for more power] over the Railroads of which they have too much already. It was quite interesting, and I think we got what we went for. I got back home at ten o'clock. * * *

"Aunt Mary was here this afternoon looking pretty well, but Uncle William was laid up with a headache and couldn't come with her. I told her he works too hard—men as old as he is ought to work only by fits and starts. We are all right for a short run, but not for a Marathon race, like our old (horse) Major."

To the Same

"Stockbridge, Mass.
22 July 1909.

" * * * Do you see that our old friend, M. Léon Bourgeois, is President Faillieres' first choice for prime minister in place of Clémenceau? The papers seem to think he will decline on account of his health. But he is so ardent and patriotic that I believe he will accept, and will make a fine premier. * * * "

Charles F. McKim, the architect, whose partner, Mr. White, in the firm of McKim, Mead & White, had built Mr. Choate's house in Stockbridge, had helped him with

his John Harvard window in St. Saviour's Church in Southwark. Mr. Choate knew him very well and appreciated him very highly. With great propriety, therefore, Mr. Choate was chosen to deliver the address at the McKim memorial meeting at the New Theatre in New York on November 23, 1909. The address is included in the volume of the "American Addresses," and is the kind of address that we would all like to have made about us if anything was necessary to be said. Another address included in the same volume was that on Florence Nightingale, spoken on May 18, 1910, at the fiftieth anniversary of the founding of the first training-school for nurses in New York. At that time Miss Nightingale was still living, but the address is just as good as an obituary, very kind, very appreciative, and she must have had the satisfaction of reading it.

In December, 1909, the American Economic Association celebrated its twenty-fifth anniversary, and Mr. Choate presided at a great meeting of its members in Carnegie Hall on December 27. He defended New York to the visitors against the charge of giving up to mercenary things.

The Pilgrims of the United States gave a dinner on January 11, 1910, to Henry White, Mr. Choate's associate in the Embassy in London and afterwards Ambassador to France, and of course Mr. Choate was there to pay a tribute to him.

His seventy-eighth birthday came along on January 24, but two days later he was arguing in court before Judge Ray in the suit against the Metropolitan Securities Company to recover two or three million dollars. He made a very lively appearance in that suit and was freely quoted in the papers. General Kitchener came to these

States for a visit in April, and Mr. Choate was active in the hospitalities, public and private, offered him. There was a dinner at the Waldorf, given by the Pilgrims, at which Mr. Choate presided.

He writes to his wife on June 14:

"My dearest & only *one*.

"I am so sorry that I cannot be with you tomorrow to celebrate your birthday—but must postpone the celebration till Saturday & Sunday. The day is a very precious one to me—and has been since 1860 when I first found it out—and that is exactly 50 years ago, when your winning face was framed in the simplest of summer bonnets in black & white. I wish I had it in black & white now. Well after tomorrow our combined 50 years will have increased to 150, and on the whole we have much, very much to be grateful for. In spite of all the drawbacks our lives together have been most happy, and for one I should like to live them all over again. * * * "

To the Same

"Metropolitan Club, New York.
Wednesday evening, June 22, 1910.

"Everybody calls it hot—and it is—but I have been very comfortable all day, lunching and dining at this Club—dining on the roof in cool breezes and looking down upon the rich foliage of the trees in Central Park.

"I was down town all the afternoon and am happy to say that my principal piece of business—the settlement of the Securities case—seems to be progressing.

"On my way up I saw a tremendous crowd at 5th Avenue & 22nd St. filling the entire street. As it proved

they were simply waiting for Roosevelt to come out of Scribner's, and when he came there was a rush and a crush, and a hurrahing as if King George V. were coming, so that with difficulty he could get into his auto, and then it took two blocks before two mounted policemen could get him free from the crowd. All the same he evidently enjoyed it immensely. * * * "

To the Same

"The Arlington, Washington, D. C.
14 December 1910.

"* * * Our meeting was an interesting one and it seems difficult to devise ways of spending the income of such a vast sum as ten million dollars for the 'promotion of peace'—and the Trustees will have to study many interesting questions. * * * "

A meeting evidently of the Carnegie Endowment for International Peace, of which he was a trustee and vice-president.

Mark Twain died in that year of 1910, and there was a meeting in memory of him at Carnegie Hall, at which Mr. Choate's contribution prompted this remarkable outburst of admiration in the *Brooklyn Eagle* of December 2:

"Probably the finest example of oratory seen and heard in this country since the death of Wendell Phillips, occurred at Carnegie Hall on Wednesday evening, when Joseph H. Choate literally conversed with his audience, without a single gesture, about the late lamented Samuel L. Clemens, 'Mark Twain.' Every judge of natural oratory with whom I have spoken unites in declaring it to have been the sublimity of all that the human voice and

the physical frame are capable of imparting to a listener and a beholder. Taken altogether, Mr. Choate's address was the most excellent thing of the kind New York has known. It was a living, tender and truly sympathetic eulogy of the dead humorist, without a trace of humor or a word of flippancy." *

His book of addresses made in England, under the title of "Abraham Lincoln and Other Addresses in England," was published in the fall of 1910 and brought out interesting reviews both in this country and abroad.

He appeared in April, 1911, for the Missouri, Kansas & Texas Railroad Company against the United States Government in a matter of land claims that involved about sixty million dollars' worth of property. A little later in June he was counsel for the Widow Watt in a matter relating to the division of her husband's estate, and his reappearance in the Supreme Court of New York, where he had practised so long, excited general interest and newspaper remarks.

To His Daughter

"8 East 63rd St.,
23 May 1911.

"I have just come from the opening of the Public Library, which was a great event. Mr. Bigelow was in fine form, and conducted the whole proceedings, but unfor-

* As reported in *The Tribune*, December 1, 1910, Mr. Choate began by saying: "We are certainly not gathered here to mourn for Mark Twain. There is no doubt that in those two last lingering years of his he would have welcomed the fateful reaper at any time. When he heard of Gilder's death, he said: 'Ah, no such good luck comes to me.' This audience is, rather, a tribute to his character, to his signal triumphs, to all he did to make men happier and better. I believe in the last thirty years no man has done more or as much in this direction as he."

tunately we could not hear a word that he said. Mr. Rives read a good plain discourse giving the history of the Library from the beginning, and there were brief addresses by Park Commissioner Stover, Mayor Gaynor, Gov. Dix and President Taft, who could be heard by everybody and made much the best speech. But not a word was said about Dr. Billings who, I think, is the man entitled to the most credit, or of John Cadwalader who has labored very hard for the last fourteen years to bring about this great result—while of course your friend Andrew Carnegie had to come in several times for a round of applause for the heaps of money he has given for the building of twenty or thirty branch libraries, but I think that Billings and Cadwalader enjoyed being let alone quite as much as Carnegie liked the applause.

FATHER."

In July, 1911, Mr. Southmayd died, a departure which came very near Mr. Choate. His letters to his family are full of jokes about Mr. Southmayd, who belonged on one side of him to comedy, but what Mr. Choate really felt and thought about him appears in the address he read on May 14, 1912, before the Bar Association of the City of New York. It is one of the most interesting papers that have been written by a lawyer about a lawyer. He told of Mr. Southmayd's amusing side, what he called his quaintness, but also pictured his character and his great accomplishments and ability and devotion as a lawyer so that the portrait stands out for admiration.

Speaking of him as one of the great lawyers of his time who commanded the unbounded confidence and esteem of all the leaders of the profession, he told of his origin, his early schooling, which was finished "at the unripe age of twelve and a half because his teacher announced to his

astonished father that he had taught the boy all he knew," and how he was taken over by Judge Elisha Hurlbut, who invited the father to send the boy to him and he would try to make a lawyer of him. So, starting in the office of Hurlbut and Johnson, "although he thus began the study of the law at a very tender age, he found it most congenial and buckled down to it in earnest. He seems to have had no tuition, outside the office at any rate, except what he may have got by attending Court; but he had wonderful powers of concentration and made such progress and so rapidly mastered the law that, at seventeen, he came to be known in the office as the 'Chancellor'; and the story goes that when clients called they were apt to find the two masters in the outer office discussing public questions, and they would say: 'Do you want to talk politics? Here we are. But if you've come on law business you will find the Chancellor inside.' "

Furthermore, speaking of Mr. Southmayd's connection with the firm of Butler, Evarts and Southmayd, of which Mr. Choate became a member, he said:

"During the whole period of his connection with it, until he retired at the age of sixty, in 1884, Mr. Southmayd was the mainstay of the whole concern. If there was a knotty point of law or practice to be decided, a difficult will, trust or contract to be drawn, an important opinion to be prepared, it was almost always left to him, and he always succeeded—he would never give in till the problem was solved; and as he was known to be always at his desk, clients at all hours flocked about him for advice, which is, I think, the most responsible and difficult part of our whole professional work. And then, too, in consultation he was invaluable. You can imagine what a resource it was to Mr. Evarts or to myself, coming down

from Court at the close of a protracted and exciting day, to talk over with him puzzling and unexpected questions that had arisen and get the benefit of his cool and quiet judgment."

His story of Mr. Southmayd's connection with the income-tax case has already been told in this book.

January 24 (1912) was Mr. Choate's birthday, and he was eighty years old. The newspapers very generally remarked upon it and said pleasant things. He stayed at home all day to celebrate it and had a family dinner in the evening. John Bigelow had died and it was a sentiment virtually undisputed that Mr. Choate had succeeded him to the position of First Citizen of New York.

The New York Genealogical Society had made him an honorary member, and a reception given to him at the Society's hall was pretty much a birthday reception. He talked there about Lincoln and Grant, giving his own memories of both, as the Society had requested. Ambassador Reid was at the meeting and contributed remarks which included some allusion to Mr. Evarts, and that lured out of Mr. Choate's memory the famous story of his going up with Mr. Evarts, then Secretary of State, in the State Department elevator in Washington, which was packed with young men who wanted jobs in the diplomatic service, and of Mr. Evarts remarking to him that it was the biggest collection for foreign missions he had ever seen taken up.

As has been remarked, Mr. Choate seldom told stories in his speeches. Such stories as get into speeches are usually narrations of what some one else has said. As a rule Mr. Choate said things about which other people made stories, and so it was with Mr. Evarts, whom he quotes.

In February Mr. Choate was at the dinner given to John A. Mitchell, of *Life*, on the thirtieth anniversary of that paper's birth.

He writes to his wife on June 12, from his office in town:

"Until an hour ago I have been very busy about the business on which I came down, and have also done nearly all my errands, reserving for tomorrow the dentist (from whom I had to beg off today), the oculist, and running the Harvard dinner, which promises to be a very great affair. You will imagine me sitting for three hours with T. R. on my left hand and introducing him to our loving brethren."

This dinner was the dinner of the Associated Harvard Clubs, at which about fourteen hundred alumni sat down. Evidently he was going strong, treating himself with consideration, but not with any excess of indulgence.

The great event of the year in Mr. Choate's life, and in Mrs. Choate's life, was the celebration of their golden wedding on October 16, at Naumkeag at Stockbridge, a great occasion, greatly celebrated, in which there was a high degree of public interest. The newspapers of the day told about it faithfully. The invitations, which had 1861–1911 in gold figures at the top, said that Mr. and Mrs. Choate would be at home on Monday, the 16th of October, from three until six o'clock, at Naumkeag, Stockbridge, Massachusetts. That was the central event of the entertainment. Hundreds came to the reception—the neighbors from Stockbridge, Lenox, Pittsfield and thereabout, and many from farther away. Besides that there was a great family dinner on the night

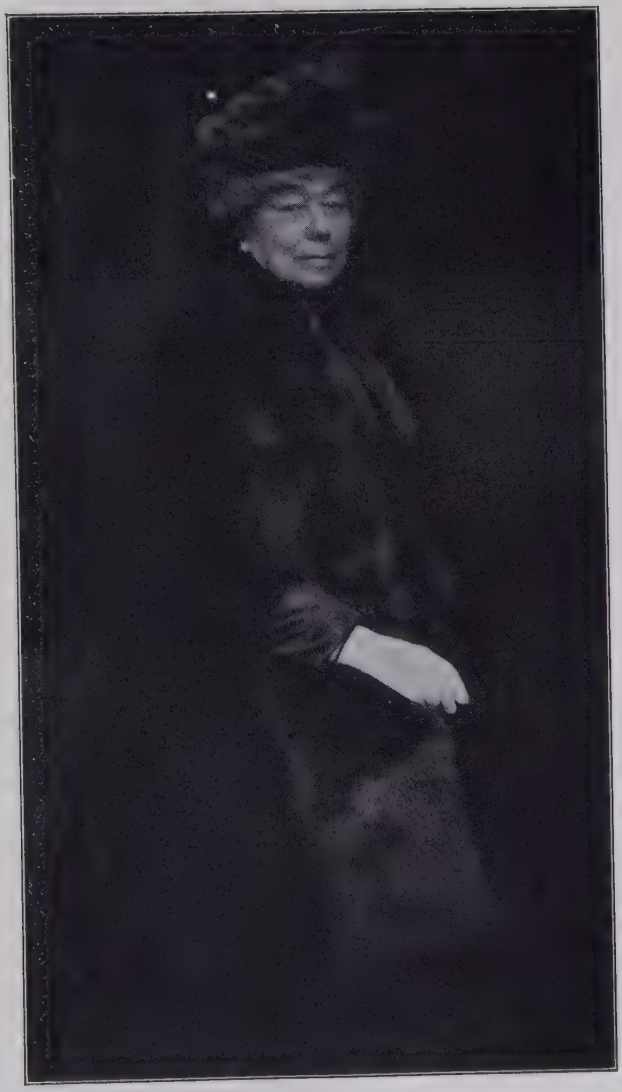
of the 15th for fifty relatives and near family friends, and there were presents—a good many—an inevitable accompaniment of a wedding-anniversary celebration, and in the case of a golden wedding where golden presents are most suitable, rather a serious detail. In people at the golden-wedding time of life the desire of accumulating things is likely to have grown faint, particularly if they are things that need to be carefully kept; but of course when people have a golden anniversary, they must take what comes.

By way of making an outgoing current to offset this golden stream that came in, on the wedding-day morning everybody employed on the place, men, women, and children, got a golden coin from Mr. or Mrs. Choate, who met and greeted them all on the piazza at Naumkeag.

The dinner the night before—it was Sunday night—is recorded as a very notable social event in the Berkshire Hills. The Springfield *Republican* says that the cake was about three feet high and that Mrs. Choate cut it with a golden knife. The most difficult thing of all on such an occasion is to have what needs to be said, said acceptably. On this occasion the necessary remarks were made, for the most part, by Mr. Choate.

He got back presently to every-day life, and we find him giving President Taft all the backing he could in the arbitration treaties which he was trying to get through the Senate.

Late in the year a movement began for the celebration of the hundred years of peace between Great Britain and the United States, following the War of 1812. In connection with that there came up discussion of the Panama Canal tolls, which the British Government con-



MRS. CHOATE (1915).

From a photograph by Hollinger.

sidered discriminative against foreign shipping and not in accordance with the Hay-Pauncefote Treaty. That matter was earnestly disputed for nearly two years. Meanwhile Mr. Wilson had been elected President and came into office on the 4th of March, 1913, and promptly took a firm stand against the tolls and succeeded after a long fight in getting the law that instituted them repealed. It was of course a matter that interested Mr. Choate very much indeed, the more so that he had so much to do with the Treaty. We find him making what *The Times* called a "brief, vigorous, impassioned speech" before the Pilgrims (on February 4, 1913) on the situation created by the Panama Tolls Act. He ridiculed the notion that there was, or could be, any substantial difference of opinion as to the meaning of the Hay-Pauncefote Treaty. "If ever two men," he said, "deserved the gratitude of their respective nations, and each of the other's nation, those men were John Hay and Lord Pauncefote, perfectly plain, straightforward men who believed that it was their part to say what they meant and to mean what they said, and to express in perfectly clear English what was in their own minds. And when they said that the ships of all nations should have free and equal passage through the canal without any discrimination whatsoever, they meant just that. They lived and died without ever once suspecting that their words were capable of any other meaning than was borne on the face of them."

It was at this same dinner of the Pilgrims on their tenth anniversary that there was given to Mr. Choate, the president of the society, a gold-and-silver salver, bearing bread and salt, the traditional Pilgrim fare.

Repeatedly Mr. Choate urged the repeal of the Canal

tolls. He spoke of it before the Chamber of Commerce on February 14, and again in Washington in opening the Fourth Conference of the American Society for the Settlement of International Disputes, when also he urged the delegates to help about convening the Third International Peace Conference at The Hague. It is notable how much the promotion of world peace was on his mind in the later years of his life, and how constantly he spoke and worked to promote it. From the time he went to London to the end of his life, he was dedicated to that purpose. At the Second Peace Conference he had worked to provide for the calling of another conference in 1915. Now he pressed it upon attention that the third conference should be called.

He seemed in good health in the summer and wrote to his wife:

"Metropolitan Club, New York.
17 June 1913.

" * * * Today has been very hot, as last night was—but last evening I dined upon the roof here and found it delightfully cool, and this morning at breakfast I found the wind blowing across the Park so cool that I had to have the window shut, yet since then I believe the thermometer has crept up to 90°. This did not prevent my putting in quite a good day's work; viz., the oculist's, the dentist's, to Howard's to get a little present for Josephine (I narrowly missed seeing dear Mabel at the dentist's—she was to come at half past two), to the hatter's, to Brooks's to get a wedding suit, to Arnold & Constable's, to *The Tribune* office to see young Mr. Reid to get him to induce his mother to take your place as Chairman of the Woman's Centenary Committee, to

Stetson's office to inquire about his wife who was operated on for cataract last Saturday (both eyes) and was glad to find she was doing well, to Jennings' office to inquire about his fine boy, a Junior at Yale who was one of the victims of the R. R. accident at Stamford—arm and leg both broken, but they *hope* he will get perfectly well—'*sure* about the *leg*, but not quite about the *arm*,' but they have got him down safely to the Presbyterian Hospital where his chances will be much better than at the one in Stamford—then to Morgan's office to attend to a little matter of business and to see Mr. Davison who has just had his vacation and Jack Morgan who is soon to go—then to my office to meet Mr. Delafield and one of the officers of the Museum of Natural History to discuss their new Pension Fund Scheme—an hour with Mrs. Nicoll dictating a long letter to Mrs. Reid, and others shorter, and signing many checks—several sessions with Mr. Bickford about the phraseology of my will—to lunch with Jo where we met Douglas Robinson who said his wife nearly died a' laughing when she read the account of the people who went with the Peace Conference to Oyster Bay, myself, Carnegie & Alton B. Parker, but he couldn't explain to me how such antipodes as Sulzer and Roosevelt could get together in support of the Governor's queer measures—after lunch more letters, until it was time to walk to the subway in time to get to the last meeting of the Governors of this Club for the season—and then you will naturally say with Pepys 'home to bed.' But no! I am going home to take off those wet clothes and dress for another dinner on the roof, where perhaps I may meet some pleasant friends, and perhaps not. * * *

J. H. C."

A tolerably full day for a man of eighty-one, topped off by a letter of some length in his own hand and the declaration of purpose to get into dry clothes and dine on the roof. Roofs are not favored, as a rule, by octogenarians as places to dine.

To His Wife

"Metropolitan Club, New York.
11 Sept., 1913.

"I changed my mind and came to the Metropolitan Club, where, for a wonder, I found a very good room, a corner room looking out on the Park.

"On the way down I found myself sitting by Admiral and Mrs. Dewey, which not only shortened my journey, but materially lengthened my life, so that I am now expected to live to *102*. At any rate Mrs. Dewey said that I ought to be ashamed if I didn't, for God had given me a right start and I ought to help God all I could. It was chiefly by the constant use of lacto-bacilline now used in liquid form, that all this was to be accomplished. The Admiral, who is to be 76 in January, showed up as a signal proof of the magic of this wonderful remedy. But Mrs. Dewey was not quite so successful, though a very earnest advocate of the system. She was leaving Pittsfield because every day she stayed there she suffered from neuralgia. 'But,' said I, 'have you tried anything for it?' 'Oh, yes,' she said, 'I have tried everything for it except leaving, and now I am trying that.' The lacto-bacilline combined with aromatic spirits of ammonia—for both of which I have full directions—is to save me from all bodily harm.

"Mayor Gaynor's death has simply stunned every-

body, and nothing but good is heard or read of him, which is all right. Everybody who doesn't want Tammany to rule in every department will have to vote for Mitchel whether they like him or not. Still I greatly fear that Tammany will win."

(Saturday morning.) "I got through all right in Washington and home at ten last night and found your special delivery letter. You did not tell me that you were going to discharge four servants at once. I thought it was only the cook. Why so secret?"

That autumn of 1913 he went to a meeting of the Bar Association at Montreal, whither came also Lord Haldane and Maître Labori, the defender of Dreyfus.

To His Wife

"60 Wall Street.
13 Nov., 1913.

"Our meeting of the Peabody Trust today went off as usual. But it was a little gruesome, for the two Trustees who sat on my right and left were wheeled in in chairs by their nurses and were both a little incoherent. We must wind up before the rest of us get that way. It looks as though we should have to hold only one more annual meeting."

The Peabody Fund *was* wound up, not because its trustees became incoherent but because its work as a separate institution was finished.

President Wilson's stand on the Canal-tolls matter doubtless warmed Mr. Choate's heart towards him, but there were other matters in which he watched him closely and took thought for him. The Mexican question, be-

queathed by President Taft to his successor, continued to rest heavily on public attention, and Mr. Wilson's policy of watchful waiting was criticised with great energy, but at the banquet at the Waldorf-Astoria Hotel on November 20, to celebrate the one hundred and forty-fifth anniversary of the Chamber of Commerce, Mr. Choate broke out with unexpected remarks.

"Well, what," he said, "is the most stirring question today that agitates the hearts of the American people? Its name has been mentioned several times, but it really is Mexico. What are we going to do with Mexico, or what is Mexico going to do with us? I should like very much to discuss the policy of the United States of America in regard to Mexico. I think I could occupy the whole evening with that if I only knew what that policy was. At best, there is only one man who knows what that policy is, and he very wisely keeps his own counsel and won't tell. And I am not sure that even he knows. I am not sure that we are not all drifting with him at our head from day to day, and even from hour to hour, waiting, like Micawber, to see what may turn up.

"It is a very trying situation; it is a very dangerous situation; but one thing I know, and for one thing I appeal to the heart and head of every gentleman present in this chamber tonight, that in this trying situation there is but one duty for all of us, and that is to stand by the President of the United States.

"You may call it diplomatic business; you may call it Executive business, but it is fair to assume that the President is in possession of information vastly superior to that which even all of the members of the Chamber of Commerce of the State possess. He knows what he

is talking about. He knows what he is aiming at. One thing we are sure of, that he is for peace; that he is for preserving peace at all hazards, and that by no act of his shall this nation be plunged into a destructive and dreadful war. He is entitled to support from us without regard to party and without regard to creeds. We must stand by our President through thick and through thin, and we shall come out right in the end."

The following month Mr. Choate fell ill. This first serious illness he had ever had began with a severe attack of angina pectoris, which was followed by other troubles. It kept him abed for two or three months, and it seemed for a while that he could not recover, but he would not let go, and being strongly disposed to continue in this life, he got very much better, and when the war came along his immense interest in that seemed to reanimate him altogether. It was this illness, that he speaks of in the beginning of his autobiography as the "long confinement to my room and bed for the first time in more than eighty years," that induced him to dictate those memoirs. He writes to his daughter as he was getting better:

"8 East 63rd Street,
22 Feby. 1914.

"Dear Mabel:—

"No, I can't let even Miss Logan (his stenographer) come between me and my only daughter, and am writing you as you see, with my own hand. * * *

"When I came in just now I found the card of Mr. & Mrs. Fredk. W. Vanderbilt had just been left. They have just got back to New York from their yacht-week, and I should like very much to have seen her and heard

all about that. Probably she called to see you, but possibly me, for she and I have one common point of interest because her father was one of my earliest clients, and was so pleased with the way in which I tried a very dangerous case for him, that after he paid my bill, he sent me $500 as a present, and in token of his great satisfaction.

"We are jogging along as well as we can without you. I seem to be gaining every day, and the Doctor now comes only once in four days. This morning he agreed that I should go and preside at the next monthly meeting of the Century on the 7th of March. * * *

FATHER."

CHAPTER X

THE GREAT WAR

AUGUST, 1914—HIS HEALTH—HIS CONNECTION WITH CLUBS, MUSEUMS, AND OTHER ORGANIZATIONS—MEETINGS, DINNERS, AND COMMITTEES—A VISIT TO TORONTO—ELECTION—THINGS MOVE—WAR DECLARED WITH GERMANY—SPEECHES—THE VISITING COMMISSIONS—A HARD WEEK WITH THEM IN NEW YORK—THE END

All of a sudden, in the cheerful world in which Mr. Choate, improved in health, was concerned with manifold activities mostly agreeable, the tocsin sounded with a terrible and momentous clang, and hell began to break loose. He writes from Stockbridge about it to his daughter, in letters that run through the first half of August.

"Stockbridge, Mass. 2 August 1914.

"DEAR MABEL:—

"I suppose that like all the rest of the world, you have spent the afternoon in reading this terrible war news which is turning the whole world upside down. If we lived anywhere but in America, if we were Germans or Russians or Austrians or Frenchmen, I suppose that at this moment Jo and George and Arthur and the De Gersdorffs and all the rest of our young men friends would be shouldering their muskets and marching to the nearest rendezvous to join the army. For that is just what the horrid word 'mobilization' means. There is a capital cartoon in one of the papers today representing Youth strapped to the mouth of a cannon, to which the old

Austrian Emperor is just setting a flaming torch, and that is just what War means.

"I cannot help thinking, however, that when these great armies get face to face and begin to count the terrible cost, they will find some way out, and Peace will come again, which all the Nations so sorely need. * * * "

(August 3.) "We are still doing little but reading the war news which seems to me to be worse than ever this morning. Those Germans are a little too smart in trying to steal a march upon both France and England. But they will be come up with, I think, for they seem to be driving Great Britain, against her will almost, to side actively with France and Russia—to keep her promises to them, and when they find themselves really arrayed against the three great powers—Germany & Austria must give way and find some way out. The papers this morning say that Austria on Saturday expressed her willingness to accept Sir Edward Grey's proposal of a conference.

"You are so near to Hog Island now that you may possibly find out about the Choate Farm there,—who owns it and whether it is for sale. * * * "

(August 5.) "Mama showed me your very nice letter received this morning giving an account of your various wanderings about the coasts of Massachusetts. You must have had a great frolic in spite of all these horrible wars. Now that England has fairly engaged with the rest of the Nations against Germany, I suppose it has got to be fought to a finish, and don't see what is to prevent a final stop being put to the arrogant pretensions of Germany which are always disturbing the world. But

perhaps now, finding pretty much all the rest of the world arrayed against her, she will call a halt. * * * "

(August 6.) "We were much appalled this morning to read of the dying condition of Mrs. Wilson and that all his prodigious labors of the last few months have been done with this dreadful fate hanging over him. I hope he will be persuaded now to let Congress adjourn and take the real rest which he so much needs. * * * "

(August 7.) "Dr. Peterson came up today in spite of the heat and gave me a thorough overhauling. As I expected he pronounced me much better in all respects, and thought that after about three days more of rest, I could begin to move about and be practically well. * * *

"The war news is terrible—and doubtless will be so for many days. The poor German people who do not want war at all are being sadly abused by their rulers who certainly have been behaving as badly as possible. * * * "

(August 11.) "You say nothing about Essex or Hog Island or any of the Choates in that direction, so I suppose you haven't been there. I imagine that the Choate Farm on Hog Island remains much as it was a hundred years ago. Dr. Bentley who visited it in 1819 says in the Fourth Volume of his Diary which has just come out, 'Oct. 6. We went for amusement to Patch's beach. * * * Here we had only low places on the Marshes. We reached Patch's Beach, having passed farms which were in the possession of the heirs of the Choate family, etc. Choate and two other farmers live on Hog Island, celebrated for its *Mutton, Butter & Cheese* beyond any land in Essex.' So I imagine you in your old age raising sheep on Hog

Island, and running a dairy farm, and I think Kitty would like to join you there. But I think you would have to give up a good many of your present amusements. * * * "

(August 12.) " * * * I haven't got my freedom yet, for I suppose Dr. Southworth who was to call today is waiting to hear from Dr. Peterson who has apparently to decide. * * * "

(August 16.) " * * * You press your inquiries about me. Well, at this moment I feel as well as ever I did, but expect ups and downs until this trouble is wholly cured. You know how long it took and how it tried our patience before, and I think it is sure to come all right before long. Yesterday I drove (in the Victoria) through the Warrin Woods—and it did me much good. So you see I am not quite such a close prisoner as I have been. * * *

FATHER."

To His Wife

"Metropolitan Club
Nov. 6, 1914.

"Before going to the Round Table dinner I must give you an account of the last twenty-four hours.

"We arrived on time and I deposited myself at this Club, just in time to dress and go to the dinner and business meeting of the Board of Managers of the Century, from which I returned in time to go to bed at ten o'clock. This morning I called up Dr. Draper and proposed to come down to his office, but he had already left for an early call in 57th Street and from there came here to see me. He put me through the usual course of inspec-

tion and inquiry and pronounced me splendidly well, and fully approved of my going through the program for which I came. Mr. Cunliffe Owen called at 12.30 in a taxicab to take me down to the meeting and lunch of the executive committee of the Pilgrims, where I spent a very pleasant hour, then to Wm. Wheelock's office to see about No. 10, which is in their hands for leasing."

In the letter above he speaks of two institutions that had been part of his life for many years, the Round Table and the Century Club. The Round Table was a dining club. There are few allusions to it in his letters because the Round Table dinners were in the winter and belonged to town life, of which the letters here quoted give a very brief record. The Century Association along with the Art Museum and the Natural History Museum, the Harvard Club and the Union League Club are included in the list given by Mr. Root in his address on Mr. Choate before the Bar Association of the City of New York. "At the age of thirty-five," Mr. Root said, "he was President of the New England Society in New York, the organization which for more than a century has done honor to the history and spirit of his race. At forty-one he was President of the Union League Club, that Institution created in the darkest days of the Civil War to promote, encourage, and sustain absolute and unqualified loyalty to the Government of the United States. He was President of the Harvard Club, of the Law School Association, of the Century Association. For forty years before his death he was a Governor of the New York Hospital. He was President of the New York Association for the Blind. He was President of the State Charities Aid Association. He was one of the incorporators

of the Metropolitan Museum of Art, and one of its Trustees for the forty-seven years which followed its organization in 1870; and for many years before his death he was Chairman of its Law Committee, and a member of its Executive Committee, and Vice-President. He was one of the incorporators and during all its existence a Trustee of the American Museum of Natural History. He was an active Trustee and the Vice-President of the Carnegie Endowment for International Peace. He was Vice-President of the Society for the Judicial Settlement of International Disputes. He was a member and Chairman of the Sub-Committee on Elections of the Committee of Seventy, that Committee which roused the honest citizenship of New York to the rescue of the City from the shame of the Tweed Ring control. He was Honorary President and an active coadjutor in the National Defence League, which did so much to arouse the patriotic people of our Country to realize the deadly peril to their liberty of possible German military domination, and to make them understand that the time had come when American Institutions must be defended again by force of arms, or must perish."

Yet Mr. Root's list is doubtless incomplete. For one thing it does not mention his connection with the Peabody Fund for Southern Education of which he speaks in the letter of November 13, 1913.

Mr. Choate's connection with these various boards and institutes was by no means perfunctory; especially to the Art Museum and the Natural History Museum he gave long attention. Mrs. Choate had had much to do with starting the Brearley School in New York, and he was always interested in that and was to be depended upon to help it by counsel, speech, or in other ways.

When the school moved from 44th Street to 61st Street and into the new building, Mr. Choate responded to the call to come and speak at its celebration (November 26, 1912) in the new school, and told that day about the beginning of it and its history since. James Croswell, the head master, said: "He came down to my apartment (on 34th Street) in a cab to see what was expected of him and discuss what he should say." That was quite characteristic of the way he dealt with such duties.

To His Wife

"Metropolitan Club, New York.
Nov. 7, 1914. Saturday Evening.

"DEAR SAINT—

"'I do admire of woman-kind but one,
And you are She my dearest dear,
Therefore it shall be done—
That is to say, I'll write you every day. * * *'

"No great events have happened today, except that I went to Brooks's and ordered some new clothes—a blue serge suit '*like the last*,' and a handsome overcoat. But alas! when they came to take my measure, I was found to have lost 1½ inches round the chest, and 2 inches round the waist—and if this goes on there will not be much left of me by and by. * * * "

To the Same

"Metropolitan Club
November 9, 1914.

"I see my way clear now to come up tomorrow morning in the train which leaves here at 8.51 and gets to Stockbridge I think at about 1.30. But I shall have to

come down on Thursday afternoon because the Carnegie Peace Foundation meets for its annual meeting here on Friday at ten.

"I got through the two Museum quarterly meetings (Trustees) a few minutes ago. The Art Museum has got the Altman Collection ready to open next week, and the Riggs Collection (armor) is well under way. We had a very full meeting of Trustees, including Mr. Frick, who looked as well as ever in spite of all the bad reports about him.

"So the other Museum was well attended, and the only serious question in both Museums is how the rapidly increasing cost of maintenance shall be provided.

"I just met Bishop Greer in the reading room of the Club who looks wonderfully well after his hard work, but he was not dressed in khaki like the Bishop of London."

To the Same

"Metropolitan Club
November 28, 1914.

"The Century meeting last night was most agreeable, as I had the pleasure of meeting many old friends, but I was sorry not to find Uncle William who seems not to have returned to the city, and the Club apparently has no charms for either of the de Gersdorffs. I suppose Carl was at the football game which Harvard appears to have won in great shape. Silas Brownell was there and gave a good account of his family, and President N. M. Butler, who has quite forgotten his prophecy, by which on his first return he gave the Kaiser's army fifty days to be starved out, and so end the war. But I'm afraid that fifty weeks will hardly do it.

"Tomorrow I have the Art and Natural History Museums' quarterly meeting, and after that I know of nothing else to detain me."

To His Daughter

"8 East 63rd Street, 3 February 1915.

"I enclose a splendid article from today's *Sun*.* It is copied from yesterday's *Evening Sun* where it appeared as an editorial. It shows how much remains to be done before the Germans are put down. * * * "

The *Lusitania* was sunk on May 7, 1915. Some consequences of it appear in the next letter, especially Mr. Bryan's retirement on June 8, because Mr. Wilson's *Lusitania* note was too strong for him.

To the Same

"Stockbridge, Mass. 13 June 1915.

" * * * I ought to be in two places on Tuesday—in New York at the Conference called by the National Security League of which I am Honorary President, and at Albany to attend the 700th anniversary of Magna Charta, but I have considered discretion the better part of valor, and setting one off against the other I go to neither. * * *

"What do you think about Bryan? He has certainly done the State some service at last, by taking himself out of the State Department, where he has been much worse than useless.

"The Germans, so far as we can guess, seem to be

* The article he speaks of was evidently one of the early war pieces by Frank Simonds, whose war editorials brought him great reputation.

taking the President's last note in a kindly way, and I have no fear of any war between us and them. * * * "

(June 16.) " * * * I asked Mama yesterday whom we should ask for the Fourth of July, and she said emphatically 'Nobody.' But that is what her first impulse is always, and I don't despair of having a house full, as of course we ought to have. * * * "

(June 21.) " * * * Commencement week has drawn all the young people to Cambridge, but they don't care to stay for Commencement itself which comes on Thursday, and are all to return that day. If I had known how cool it was to be, and how well I was to be, I should have been there myself to open the great Widener Library—a great event in the History of Harvard. * * * "

To the Same

(June 24.) "Commencement today at Harvard is not a scorcher after all, and I am very much disappointed not to be there. But I have the new Quinquennial Catalogue which arrived this morning and that is something. I find that Jo has corrected his name since the last Edition and reappears as Joseph Hodges Choate, 1897, and no doubt Sandy will appear in the same way in or about 1933 & keep up the line. In the new way of entering honors in the Catalogue I am glad to see both Carl and Jo recorded as 'm. c. l.' *magna cum laude*, but George de G. & Charley Choate have not even 'l.' Still what difference does it make, for Charley who apparently did nothing in College has beat them all in the race. * * * "

(June 30.) "Mama has been driving like a steam-engine ever since you left us, 'getting ready for the meeting of the Garden Club,' she says. I thought the house was all ready. But you never saw such an upheaval—men and women in all directions moving things from one place to another and turning them upside down and back. Hilda and Lily being initiated as upholsterers and my secretary entirely appropriated to write notes inviting outsiders, and yesterday I was sent all the way to Lenox to buy eight cents' worth of hooks and rings with which to hang up Mr. Beaman's piece of tapestry in the hall. Mrs. Alexander Sedgwick and Mrs. Arthur Swann called this morning, but she could only shake hands with them on arriving and departing, appearing with hammer and tacks for that purpose. Really, as I have often told her she is a 'very remarkable woman.' * * *"

(July.) " * * *—— writes me that he has had to cut out parts of my article about —— contributed to ——, and no doubt he has largely spoiled it, poor as it was. That is why I hate to give anything to any magazine or review—the liberty they take in mutilating what is sent to them. So, when I was in England —— came and begged me to let him have my address on the Supreme Court for publication in the ——, and when it appeared he had cut out about a third of it, and what I considered the most important part. Of course I shall not give anything more to ——.

"The German Foreign Office seems to be merely 'putting off' our President and makes no answer as yet to his second note. I think the Kaiser would like to give a conciliatory answer so as to keep on good terms with

us, but is afraid of his own military clique. The report is today that the President is demanding an answer straightaway—without any more 'ifs' 'ands' or 'buts.' I hope so. I have been reading up on Richard H. Dana and find C. F. Adams's Life of him very interesting reading. It brings up many public events of my early years the details of which I had wholly forgotten. * * * "

(July 19.) " * * * Mr. Whitridge sails for England again this Saturday to be gone till October, but I am afraid that in the meantime there will be no very good news about the war for him, or for anybody, although he thinks, as I do not, that the Germans are very near the end of their possibilities. I think they will last a great while yet, and I only wish the President would end his parlez-vous-ing with them and give them plainly to understand that unless they give a prompt and favorable answer, our diplomatic relations with them must come to an end. I thought at one time that this would be a more serious matter, because we are giving all parties, French, English, and German, so much help through our Embassies at London and at Berlin, especially at Berlin, but my impression is that, if Gerard is recalled and Bernstorff sent home, as he ought to have been long ago, that business can be very well attended to by Consuls, who will still remain, although the Embassies may be closed. * * * "

On September 28, 1915, he writes to his wife from Toronto, where he had gone to receive an honorary degree:

"It is all over! We arrived on time at a little before ten last night, and were met by Sir Edmund [Walker],

who quickly brought us to his home in his motor. The rest of the family were already in bed, having married off the youngest son at half-past two in the afternoon. So we were allowed to go to bed at once, which we were very glad to do.

"This morning Lady Walker appeared—a very bright and pleasing person, full of fun and charm.

"This forenoon we devoted to exploring the city, and a delightful city it is—no sky-scrapers or apartment houses, but a house for every family. At one we lunched at the Club, with the gentlemen who were to present the candidates for degrees, and went at three to the convocation, where that ceremony was gone through. When all had been presented they insisted upon my speaking, which I did for about fifteen minutes, and the large audience seemed to be in full sympathy with what I had to say. We take the train for home at 9.30 tomorrow morning."

To His Wife

"Metropolitan Club
September 30, 1915.

"I arrived here very safely last night at ten o'clock, none the worse for wear. Only sitting still for twelve hours was a little tedious. Jo took very good care of me, and for that matter so did everybody else. You would have been surprised to see how much they tried to make of me. I enclose cuttings from two of yesterday's Toronto papers, which I am sure will amuse you. Sir Edmund and Lady Walker entertained us most hospitably, and I have asked them to stop over at Stockbridge on one of their trips to or from Toronto to New York, a journey of which they seem to make nothing.

They have four sons and three daughters, all married but the youngest son and the youngest daughter, and thirteen grandchildren. He is at the front and she is waiting for some man who is good enough for her to appear."

About this visit to Toronto there is a letter from Sir Edmund Walker, whose hospitalities Mr. Choate so much appreciated. He was chairman of the Canadian Peace Centenary Association, that undertook the celebration of the hundred years of peace between the United States and Great Britain. He was also chairman of the board of governors of the University of Toronto, which before the war had the largest attendance of any university in the British Empire. When the war interfered with the preparations for the centenary celebration about which he had several times conferred with Mr. Choate, it occurred to him that the celebration might properly be undertaken, in a way, by the University of Toronto, which should commemorate the hundred years of peace by giving honorary degrees to a number of eminent Americans. So the governors determined to hold a special convocation of the university, and the degree of LL.D. was conferred on six citizens of the United States, with Mr. Choate at the top of the list.

To this honor Mr. Choate made response for himself and his companions. As to that, Sir Edmund says:

"I was fearful that Mr. Choate, having received countless honorary degrees, might in a few graceful words have merely thanked us, in which case, in view of the war situation, the international aspect of the event would have fallen rather flat. But the moment his clear, strong voice was heard I felt sure he would say something worth

while, and to my great delight he made the first, great, pro-ally speech delivered in North America. Next day I wondered whether he would have spoken as fearlessly in New York as in Toronto, and you may imagine my pleasure when at the Anglo-French dinner he delivered practically the same speech somewhat enlarged and much more outspoken."

On behalf of the recipients of the degree, Mr. Choate said:

"I am ordered by the highest authority to speak for a few minutes and pronounce the benediction which will bring these exercises to a close. I was set upon this morning by a great body of the reporters of Toronto, and I was struck with their wonderful gallantry and dash, and thought they ought to be in the trenches, and for a moment I wished they were. They wanted to know what I was going to say this afternoon, and I was obliged to tell them that during a long lifetime I had cultivated the habit of speaking without saying anything. So they got nothing out of me.

"I am a neutral and therefore my tongue is nationally tied, but I can say for myself that wherever men are fighting for liberty and justice and civilization I am in full sympathy with them. Perhaps it is only fair for me to say that I believed that of the one hundred millions of my countrymen at least ninety millions are in full sympathy with me.

"It is a wonderful thing that two great nations living side by side, who for forty years before had been squabbling all the time, and in those forty years had fought two wars, one of seven years' and the other of three

years' duration, were able afterwards to live together in peace for one hundred years. When I went to The Hague as the delegate of the United States in 1907, to attend the second Peace Conference, all nations of the world, great and small, were living in peace with each other.

"'No war nor battle's sound
Was heard the world around.'

We sat four months cheek by jowl with the Germans, the Austrians, the Turks, and all other outlying nations. We all thought that we had done something at the end of the four months to advance the cause of peace, to prevent the breaking out of war, and, if war must come, to mitigate the horrors of war. Well, it seems that our success was only for the moment, it was only transient. Everything we did at that conference, every provision that we enacted for the purpose of preventing war or mitigating its horrors, has been trampled upon and violated, and all our agreements have been torn into shreds of paper and thrown to the winds.

"I am often asked what is going to be the end of all this. Is it a fact that a century of united labors on the part of all the universities of the world, including this great University of Toronto and the McGill University have all been for nothing? Has civilization been thrown to the winds? Has liberty been entirely forgotten? Has justice ceased to be respected among men? And what is to be the end of all this? Well, by and by peace will come. We do not know when or how, but it will come, and the work of the universities will have to be resumed with greater ardor and, I believe, with greater success than ever before. I should like to recommend the motto of my own University of Harvard for general

acceptance and as a guide of conduct for all the universities of the world. That motto is 'Veritas,' the Truth. Harvard has flourished under that watchword for nearly three hundred years. There is only one thing that can hold civil society together. There is only one rule which can hold the nations of the world together in peace, and that is the law of good faith, and nobody knows it better than the men who are fighting in the trenches on your side and on the other side.

"I have little confidence in, although much sympathy with, all the schemes that are on foot for promoting peace, but it is no use crying 'Peace, peace' when there is no peace and no possibility of peace—no possibility of peace until the authors of this awful war are brought to a condition where their adversaries and the whole world can see that hereafter they will obey our rule, the rule of good faith, the rule of keeping contracts, the rule that when they make a treaty they must stand by it, whether it is to their interest or not, and put an end forever to this awful theory which they have propounded and which they have acted upon during the last twelve months: that whenever their interests required they could throw all treaties and contracts to the winds.

"When war broke out, the idea prevailed in some malignant minds that the British Empire would fall to pieces, that Canada, Australia, and New Zealand, and other British dominions beyond the sea, great and small, would go each its own way; but instead of that, when the first blow was struck, when Belgium was invaded, the British Empire proved to be more closely united and more impregnable than ever before.

"When we heard how your strong young men were marching to the fight, when we heard of their great and

gallant achievements, when we heard how freely they laid down their lives in this cause of liberty and justice and civilization, our hearts bled with yours, and the people of the United States were actually in full sympathy with you. Of course there are a few—shall I say, malignants? I do not wish to use any offensive words, but we have many millions of men of foreign descent, one-half of them on one side and one-half on the other. But if we should go to war with you against an unspeakable enemy—I do not want to mention its name—I think nineteen-twentieths of all those people would stand by our flag, the Stars and Stripes. I wish in closing to express for myself and on behalf of all my colleagues on whom you have bestowed the signal honor to-day our deep sense of gratitude and our high appreciation of the honorary degrees conferred upon us by this great university. We wish also to acknowledge the generous enthusiasm with which your Canadian committee joined with us and the British committee in the programme for celebrating the Centenary of Peace, and to express the confident hope that peace between your nation and ours and our common mother country may last forever."

After the convocation there was a reception, and in the evening a dinner at the York Club, and there, Sir Edmund says, Mr. Choate told of some of his experiences as Ambassador in England. Sir Edmund's diary records that he spoke much of King Edward, saying that he was the most human man he had ever known, and recalled how when the time came for Mr. and Mrs. Choate to leave England, the King invited them to lunch at Buckingham Palace, and after lunch said to an equerry: "Where are the grandchildren?" The grandchildren were produced and King Edward said to the present

Prince of Wales, then about ten years old: "This is my friend Mr. Choate, who is going back to America, where his home is; I wish you all to make your best bows and to say good-by to him." And so the Prince of Wales made a pretty bow and the others tried to imitate him, down to the youngest who squatted on the ground in his petticoats.

To His Daughter

"8 East 63rd Street, May 13, 1916.

"For a wonder we have got our flag out today, and now I think Osborn will take pride in putting it out on every holiday.

"Mother and I have spent *the whole forenoon* watching the preparedness procession which was a great success. Do I say '*was*'? It had really only been going for two hours when we left at twelve to come home for lunch. Indeed, we had not intended to see it at all. But only to go down 5th Ave. as far as they would let us go, to see the decorations which were very fine. The police would have stopped us at 34th St. But fortunately we took our '*police card*' with us, and although it had expired *in* 1914, that made no difference. They let us pass on until we got to the reviewing stand at the Worth Monument opposite Madison Square, which we reached just as the head of the procession was in sight—on the minute at 10:30. So we got out of our car and were immediately surrounded by any quantity of 'Committees' who gave us the best seats & just opposite those of General Wood & Mayor Mitchel who were just alighting from their carriages 'to review.' General Sherrill & his aides immediately passed, then almost an hour of City Employees—among whom George Ward, Park Commissioner, was conspicuous. Then half an hour of Dry

Goods & Woolens & Worsted trades, then Theatres & Fine Arts led by Jim Barnes in fine style. At this point the Mayor sent his Secretary across to invite us over to join his party, which was very pleasant as our seats on the West Side had become blazing hot in the sun. Mrs. Wood & Mrs. Mitchel were there and of course we enjoyed them. After sitting with them awhile we started home for lunch, although they had invited us to go with them to the Aldine Club, somewhere in the neighborhood, but —— was to be here. We were escorted across to our car by two stalwart policemen who found it for us. But on the way we had to stand for a great group of Kodakers who would take us in spite of Mama's remonstrances. So if you see two very horrid looking pictures of us in tomorrow's Sunday papers, you will not be surprised. Of course we had to run the gauntlet of a lot of reporters who insisted on knowing 'what I thought of it all,' and you will probably find some very crude views, mostly theirs but attributed to me, in the same papers. You will easily account for it. * * * "

To His Wife

"Metropolitan Club, New York.
Nov. 6, 1916. Monday evening.

"My Dearest and Only—

"We arrived safely and on time and much rested by the long still ride. The only man in our car that I knew was Mr. French, and I was much disgusted to find from his talk that he seemed to be for Wilson, said that Hughes and the Republicans had made a great mistake in abusing him. * * *

"I judge from the accounts in the evening papers,

that both Hughes and Wilson are to be elected. It will be a relief tomorrow night at this time to begin to receive the returns and to know how New York State has gone for I imagine that will go far to determine the whole. I shall vote before breakfast as usual, and enjoy the rest of the day in quiet at the Club."

To His Daughter

"Metropolitan Club,
November 7, 1916.

"I voted before breakfast this morning as is my wont. But there were a good many before me, so my ballot was No. 60. But they put me at the head of the line because I had voted for Fremont & Dayton in 1856, and then I had to be introduced and shake hands with a young gentleman who was now voting for President for the first time in his life. * * *

"On the way up in the stage I called at the Savoy on M. de Sillac who was at the Hague with us, a sort of attaché, I believe, to M. Bourgeois, and is now here on a mission from M. Briand, Premier & Foreign Secretary, to find out the drift of opinion here about the League to Enforce Peace. I told him that if they would leave out the 'Force' I could support it, but I could not agree that the United States should bind itself to be punished by all the other members of the League if it differed from them; *e. g.*, the Monroe Doctrine.

"We hope to hear who is President before midnight. * * * "

So he voted for Hughes, and the election, after considerable hesitation, went against him. And presently things began to come along and in spite of the election

and what hopes of his, if any, it may have withered, the things that came were the things he wanted. November 6 the British liner *Arabia* was sunk without warning in the Mediterranean. On November 29, Washington protested against Belgian deportations. On December 6 Lloyd George became Prime Minister of England. On December 12, the Germans made a peace offer, refused, December 30, by the Allies as "empty and insincere." On December 20 went out President Wilson's peace note, to which Germany replied on December 26 and the Allies on January 10. On January 22 the President addressed the Senate, telling them his ideas of steps necessary for world peace. On January 31 Germany announced unrestricted submarine warfare in specified zones. Three days later, February 3, the United States severed diplomatic relations with Germany and dismissed Ambassador von Bernstorff. On February 26, President Wilson asked authority to arm merchant ships and did arm them by announcement of March 12. On March 27 Minister Whitlock and the American Relief Commission were withdrawn from Belgium, and on April 6 the United States declared war on Germany. It took five months to go from election to war.

How Mr. Choate felt about it appears in the letter following to Earl Grey, which was published in the London *Times* of May 30:

"8 East 63rd Street, April 7, 1917.

"DEAR LORD GREY:

"Your delightful cable came to hand on the 5th, immediately after the President's Message delivered in person to Congress, which, as you say, has swept all clouds from our sky, and before it had culminated in

the declaration of war by Congress and its proclamation by the President.

"At last Americans at home and abroad can hold up their heads with infinite pride. The whole nation is now lined up behind the President, and I think that you will hear no more about doubt or hesitation or dissent among us. I think that we may now forget all the past, and let bygones be bygones, and accept the President as our great leader for the war; and we must give him credit for one signal result of his watchful waiting, and that is, that he was waiting to see when the whole nation would be wrought up to the point which has now been reached, so that he could safely announce to the world our alliance with France and Great Britain without any practical dissent.

"I say alliance, because that is justified by his noble utterances. We must stand together now until victory is won, and I think that victory will be greatly hastened by the entrance of the United States into the conflict. As you know, I have thought from the beginning that, while for the time being we might better serve the cause of the Allies by remaining neutral and supplying all that we could in the way of arms and munitions, and I am happy to say some men, as our neutral right was; that nevertheless when by entering into the war with all our might and with the aid of all our boundless resources, we could help to bring it to an end in the right way by the complete suppression of Prussian militarism, and the triumph of civilization, it would be our duty to do so. That time has now come, and I am happy to think that our great nation has acted upon the same thought, and has been really true to all its great traditions.

"We can hardly be expected to send over any large

expeditionary force at the outset, but I think that we can muster a division of something like 20,000 or 30,000 men, seasoned for war, under competent leadership, who shall carry our national flag alongside of those of Great Britain and France, without much delay, and I think that you will agree with me that nothing would give so much new inspiration to the war-worn veterans of your great country and of France and carry so much dismay into Germany as that would.

"I hope also that our Navy, which is fairly well ready, will be able to open the way across the Atlantic for our own vessels and those of other nations to carry food and munitions to your aid, and it is needless to say that we can and will furnish much-needed credit to both your nations in support of our common cause.

"You have no idea of the very rapid advance of public sentiment in favor of this cause in the last few months. In November Mr. Wilson was elected upon the rallying cry of 'Keep us out of the war,' but the defiant and impudent conduct of Germany since that day has really awakened all America to the true nature of the contest, and we must stand together until that contest is won.

Ever affectionately yours,

JOSEPH H. CHOATE."

Mr. Choate's activities immediately increased. The mayor selected him as the leading citizen of New York to act as chairman of the committee to receive the French and English Missions that arranged a visit to this country immediately following our entrance into the war. Evidently it was on the business of this committee that he went to Washington, as appears in the letter following:

To His Wife

"1624 Crescent Place, N. W.
Washington, 19 April 1917.

" * * * Last night we had a dinner of ten including the British and French Ambassadors and their wives, Senator Lodge, Lady Maud Cavendish, daughter of the Duke of Devonshire, who is here on a visit with the Spring-Rices, and Mr. Paton of Princeton, one of the Carnegie Trustees. * * *

"At the State Department everybody is worked to death. Nothing has been heard yet from either the French or British Missions but the latter is expected on Saturday or Sunday. They will probably come separately to New York which will keep my Committee very busy. The British are bent on business as you may suppose, and how the State Department with its feeble force—weak in numbers I mean—will be able to handle Mr. Balfour with his great company of supporters—twenty in number—I don't know. The Secretary thought that they would want to have a quiet time both here and in New York. But the French come here for more sentimental purposes and will want to 'see New York' and have the people see Joffre and Viviani—a wish which will be loudly responded to by our people. Last evening we had a visit from the Chief of Police, who wanted to view the premises as they are to be specially guarded during their stay in this house—sentinels at the entrance and at each of the four corners of the grounds, flashlights to light up the whole establishment outside and in at a moment's notice and secret service men without number—the Government means to take no risks. * * * "

What followed, followed fast.

On April 25, in New York, he spoke to members of the Associated Press, and said (in part), as the New York *Times* reported him:

"Now before I sit down let me say a word about our great President, for he is entitled at every step to the applause and support of every American citizen, man, woman, and child, and I believe he has it.

"Some of us in the past have criticised the President. Some of us long hesitated and doubted. Some of us thought that watchful waiting would never cease. But now we see what the President was waiting for and how wisely he waited. He was waiting to see how fast and how far the American people would keep pace with him and stand up to any action he proposed.

"From the day the President appeared before Congress and made that wonderful address of his—one of the greatest State papers in the affairs of the United States since the formation of the Government—from that moment all doubt, all hesitation, all unwillingness was banished from the minds of all the people and he is now our chosen leader for the great contest.

"By no possibility can we have any other or think of any other, and we must uphold him through thick and thin from now until the end of the war."

On April 30, 1917, he spoke, at a dinner at the Harvard Club to General Wood, who was going abroad. His last speech at that club was on May 4 at a huge stand-up meeting of two thousand men of all colleges, held in Harvard Hall in the interests of the Officers' Training Camps. The hall was packed with men standing, and some one was addressing them when, as is related, the

officers of the meeting suddenly noticed Mr. Choate appear on the outskirts of the crowd and stand watching the proceedings. He was brought in by a side passage to the speakers' end of the meeting and made a speech which as usual every one could hear and with which every one was inspired and delighted. As to that, a Harvard Club note of this address runs:

"Whenever and wherever he spoke, his wonderful voice, like the vibrant notes of a great organ, carried without effort to the furthest corners of the hall, and he could always be heard even when younger men shouted in vain. His voice, like his beautiful clear handwriting, never failed him. To have heard him once was never to forget him. His tall figure, somewhat bowed in later years, his massive head with its thick, gray hair, his humorous smile, his sallies of wit, his occasional swift sarcasm, his earnestness when wrong demanded denunciation or right merited praise, his fine and lofty patriotism, his resonant voice—all gave him a power to charm and sway men rarely equalled."

On April 21 the British Mission, headed by Mr. Balfour, arrived in Washington. On April 24 the French Mission, Marshal Joffre and M. Viviani, arrived there. In due time they came back to New York. As chairman of the committee to receive them, Mr. Choate had met each of the commissions as it landed at the Battery, had accompanied each in its procession through the streets of New York to the City Hall, where with the mayor he had greeted them in turn on behalf of the city, and had then escorted each to its residence in New York. When they came back from Washington he met them again, and spoke at every luncheon and dinner

given in honor of each of them and in particular at the memorable dinner given by the City of New York to the commissions jointly on Friday, May 11, 1917, when the speakers were M. Viviani and Marshal Joffre for the French Mission, Mr. Balfour for the English Mission, the Mayor of the City of New York and Mr. Choate.

In welcoming Mr. Balfour and the British brethren at the City Hall on May 11, Mr. Choate said:

"Mr. Mayor, Mr. Balfour; Your Excellency, and Gentlemen of the Commission:—During the six happy years that I spent in England when I was sent abroad for the good of my country, I remember that from first to last, in every emergency that arose, you stood like a rock for the friendship between England and the United States. And in all that long career, public career, with which you have illustrated the history of your country and of the world, it was to you that we were constantly indebted for untiring and abiding friendship to the United States. When we entered into a war, not for our own benefit, but for the benefit of emancipating a struggling little nation, the smallest, I believe, of all the nations, we were indebted to the British Government, over which you had a controlling hand, that no interference was allowed between us and the objects of our efforts.

"It has always been the ambition and the hope of the people of the City of New York, whom I have the honor to represent for a few minutes now, that this friendship between our two countries might be perpetual and never disturbed. We were just beginning to celebrate the completion of an entire century of absolute peace between England and the United States when this horrible war that is now upon us broke out. We are disused from war. We do not exactly know how to carry on

war, according to the modern methods, and it is our great delight that you have come with your able body of experts that accompany you to show us how to enter into the war, to show us what to do, and especially what not to do. I am sure we can rely upon your constant advice for that.

"We hesitated, we doubted, we hung back, not from any lack of sympathy, not from any lack of enthusiasm, not because we did not know what was the right path; but how to take it, and when to take it was always the question. I feared at one time that we might enter into it for some selfish purpose, for the punishment of aggressions against our individual, national, personal rights, for the destruction of American ships or of a few American lives, ample ground for war; but we waited, and it turns out now that we waited wisely, because we were able at last to enter into this great contest, this great contest of the whole world, for noble and lofty purposes such as never attracted nations before. We are entering into it under your lead, sir, for the purpose of the vindication of human rights, for the vindication of free government throughout the world, for the establishment by and by—soon, we hope, late, it may be—of a peace which shall endure and not a peace that shall be no peace at all. Fortunately we have now no room for choice. Under the guidance of the President of our choice at Washington, we stand pledged now before all the world to all the allies whom we have joined to carry into this contest all that we have, all that we hope for, and all that we ever aspire unto. We shall be in time to take part in that peace which shall forever stand and prevent any more such national outrages as commenced this war, and have continued it, on the side of Germany. Already we have been only thirty days in the war, and it has had

a marvellous effect upon our own people. Before that there was apathy, there was indifference, there was indulgence in personal pursuits, in personal prosperity; but today every young man in America and every old man, too, is asking, what can I do best to serve my country? Mr. Balfour, during your brief stay among us, you will be able to answer that question."

On the evening of that day at the dinner to both commissions at the Waldorf Hotel, he spoke again, and it was in that address that he said that when Congress declared war on Germany, "for the first time, after two years and a half, I was able to hold up my head as high as the weight of eighty-five years would allow."

On Friday night was the dinner at the Waldorf. On Saturday night Mr. Choate gave a dinner at his own house for the visiting commissions, and after it they all went to the Red Cross meeting at Carnegie Hall, arriving at a quarter to eleven and returning home at one o'clock. On Sunday morning, May 13, Mr. Choate went with Mr. Balfour to church at the Cathedral of St. John the Divine, where there was held a very remarkable service (with Bishop Brent as preacher). Of these two days Dr. Nicholas Murray Butler, who was one of the guests at the dinner at Mr. Choate's house on Saturday evening, said two days later, as quoted in *The Herald:*

" 'Two incidents of those days will never be forgotten by those who witnessed them. Sitting in his own library after dinner on Saturday evening last, surrounded by a small group of intimate friends, he enlisted Mr. Balfour, Professor Bergson and some of the rest of us in a discussion of immortality. His questions were half quizzical, half serious, but they drew out an interchange of

brilliant thought and sparkling wit that will always be memorable.

"'Again, on leaving the Cathedral of St. John the Divine, after the stately service on Sunday morning last, Mr. Choate bade farewell to Mr. Balfour with these last words: "Remember, we shall meet again to celebrate the victory."

"'These were the last words Mr. Balfour heard him speak,' said Dr. Butler, 'and they were the last words any of us in the surrounding group heard him speak. They were prophetic of the greatness of his spirit and of the confidence of his soul.'"

On Monday morning Mr. Choate complained of a pain around his heart and his doctor, Doctor Draper, came to see him, found he had caught cold, and advised him to stay a-bed for two or three days. In spite of that advice Mr. Choate gave attention to important questions that had come up during the visit of the war envoys and conferred about them, but he cancelled other engagements that he had made for the day. Later in the day he complained of being uncomfortable, but it was not until ten o'clock that night that he said to Mrs. Choate: "I am feeling very ill. I think this is the end." At half past eleven, May 14, he died.

What a magnificent consummation of a famous career, a career worldly in many of its efforts and details, but always at the pinch subject to the control of the Puritan conscience that would fight for righteousness when the call came! The call had come to him to serve with his last strength, his last breath, a cause that his mind and his heart both accepted as the cause of humanity. To meet it he marshalled his powers as a general marshalls his worn

battalions for a final drive to victory. Sparing nothing, reserving nothing, putting into his task all his practised talent and all the prestige of sixty years of conspicuous and applauded achievement, he did what was wanted of him; did it with a voice still eloquent and winning and with energies still responsive to his will, and when the task was done, and he felt the end was coming, accepted it as something foreseen.

That was more than courage, more than patriotism, more than pride. In its essence it was religion. It was a giving up of the remnant of life that the world might be saved. By what was almost a miracle, the same chance was offered to him when past fourscore that had come and was to come to youths of twenty. And he embraced it as eagerly as any of them, and with a fuller understanding of what it meant. What he had the heart and mind and power to do in the last week he lived is in a way a justification of all his life. There was no petrifaction in him anywhere. His physical heart was damaged. He had had angina, and knew that any extreme effort was very dangerous to him. Parts of him had stiffened no doubt by age, but there was no stiffening of his power to give himself. He still loved his neighbor, his country, mankind, and still could die for them all.

It is most interesting that the talk at dinner at his house the last night but two of his life should have been on the immortality of the soul. Of that talk Doctor Butler told in an address (June 7, 1917) at a meeting of the New York Chamber of Commerce. Relating how he had been at the dinner when, surrounded by a group of intimate friends, among them Mr. Balfour and the French philosopher M. Bergson, Mr. Choate drew them into discussion of immortality, Doctor Butler said: "As I think of it now it seems almost as if that charming

spirit, so rich in experience, so full of service, so crowned with applause and honor of men of two worlds—that that spirit had a prescience that it was soon to go; and feeling so confident of a life that was to follow, was quizzically anxious to know what those who were younger had to say about it."

The news of Mr. Choate's death brought messages of condolence to Mrs. Choate from the President, the King of England, and a great number of other mourning friends. His funeral was at St. Bartholomew's Church on May 17, and was conducted by Bishop Brent and Doctor Leighton Parks. The church could hold but a small part of those who wished to attend. The various organizations with which Mr. Choate was connected were represented. The pall-bearers were Mayor Mitchel, the British Ambassador, Mr. Henry White, President Lowell of Harvard, President Butler of Columbia, Mr. F. R. Appleton, President of the Harvard Club of New York, Mr. Robert DeForest, President of the Metropolitan Museum of Art, Judge Ingraham, Mr. Charles Lanier, Mr. Lewis Cass Ledyard, Mr. J. P. Morgan, Mr. John G. Milburn, Mr. Frank K. Sturgis, Mr. Francis Lynde Stetson, Mr. Charles H. Tweed, and Assistant Secretary of State William W. Phillips.

He was buried at Stockbridge in the beautiful family burying-place adjoining the old cemetery, where are the graves of two of his children.

The Pilgrims, an international organization of which Mr. Choate was president, held services in his memory in St. Margaret's Church, Westminster, London, on May 21, when the Archbishop of Canterbury delivered an address, and on May 31 at Trinity Church in New York, where an address was made by Doctor Manning.

CHAPTER XI

HIS LIFE REVIEWED

THE HARVARD CLUB MINUTE—THE UNION LEAGUE CLUB MEETING—MR. DEPEW—THE CENTURY MEETING—MR. ROOT—MR. BRYCE—MR. BALFOUR—COLONEL ROOSEVELT—PRESIDENT ELIOT—MR. STETSON—MR. ROOT'S ADDRESS BEFORE THE BAR ASSOCIATION OF THE CITY OF NEW YORK—THE NEW YORK STATE BAR ASSOCIATION MEETING—JUDGE CLEARWATER'S REMINISCENCE

Mr. Choate's death befell at a thrilling time when there was more going on than living Americans had ever had to deal with. He had been a part of the great performance. When he dropped, every one stopped to take notice and think about it. The newspapers had immediately a vast deal to say, and said it, but besides that there came and continued to come very thoughtfully considered estimates of his career from persons highly qualified to deal with it.

Many bereaved societies put their feelings on record in minutes. So, following a description of Mr. Choate's activities after his return from England and an enumeration of some of the public duties he undertook, the minute of the Board of Managers of the Harvard Club offered by Mr. Byrne (May 23, 1917) goes on to say:

"It was to this great and commanding figure that our Board always called on occasions at all out of the ordinary—when eminent men were our guests, when the Associated Harvard Clubs met in New York—and frequently in the ordinary life of the Club when fresh enthusiasm was to be aroused or devotion to Harvard

or to country was to be fanned into a brighter flame: and the call was never in vain. He responded generously, joyously and successfully. Everyone went home from a meeting at which he spoke with a warmer heart, a more courageous spirit and brighter hopes. Many told him so; and he knew therefore that he had accomplished what he wished, for his wish was always not that younger men should be awed or dazzled by him, but that they should like him and get from him something that would cheer and inspire them. That which made it easy for him to have his wish was the same thing which made it difficult for anyone to envy or belittle him. It was his kindness of heart and goodness of character. 'Let his life be kindness, his conduct, righteousness, then in the fulness of gladness he will make an end of grief.' He made an end of grief for himself, for he was a happy man, and for us too he made an end of grief whenever he was with us.

"Lord Morley begins a chapter on the Last Years of the Life of Gladstone with these words of Dante:

"' * * * And the noble soul is like a good mariner, for he, when he draws near the port lowers his sails and enters it softly and with gentle steerage.'

"After Mr. Choate had lived fourscore years, such a picture must have pleased him as it passed now and then before his eyes. But surely never again after the invasion of Belgium, for from that moment he was a young man once more, not only in the amazing vigor, but in the immense scope of the labor which he performed without cessation to the end; he had work to do and what might happen to him in the doing of it he did not care. That work was to help to arouse his country to the danger in which freedom was and her duty to help to save it.

In the last weeks of his life he knew the work was done; for he saw America preparing a great army to fight for democracy, which without her aid he had feared would go down in ruins. He had never been happier, never more proud of America. She was once more the Goddess of his youth; and as he looked into her eyes, open now to all her dangers and all her duties, shining with the light of faith in the justice of her cause, she was to him as half a century ago to Lowell, 'O, beautiful, my country.' "

The day following, May 24, 1917, at a special meeting of the Union League Club, Judge Hughes presided and there were addresses by him, Mr. William D. Guthrie, Mr. Charles E. Rushmore, and Mr. Chauncey M. Depew; all deeply felt, enlivened with reminiscences, and helpful to understanding of Mr. Choate's qualities. Mr. Depew spoke in particular of his practice of public speaking at dinners and on all sorts of occasions, and out of his own similar experience found an interesting reason for it. People had wondered that so hard-worked a man as Mr. Choate should spend so much strength, as it seemed to them, in exertions that might have been avoided. Mr. Depew's theory was that after-dinner talk was to Mr. Choate not so much an exertion as a change of occupation that amused and rested him.

"Many years ago," said Mr. Depew, "Mr. Choate was elected president of the New England Society in New York, and continuously re-elected. After a little, his annual address became an event for its wit, humor, and audacity. Its free handling of important personages and current questions made an opportunity to attend the New England dinner the most sought-for privilege of the year.

The occasion grew into national importance; men of the highest distinction and position gladly accepted invitations. It was a free platform, and the broadest discussion was invited, providing it was not too long. Sumner came there with his ponderous periods and stately eloquence, and Roscoe Conkling was there at his best. So were Presidents and ex-Presidents of the United States, and with them great journalists and educators, but on these occasions, some of which were historic, the master mind was easily Joseph H. Choate.

"Mr. Choate believed with me, that the mind is fresher and more capable of grasping the questions arising in one's vocation or profession, if there is relief in some other direction. We both found that in after-dinner speaking. For over forty years, many times during the season, we were on the same platform."

To a meeting of the Century Association on January 19, 1918, in memory of Mr. Choate, Mr. James Bryce (Viscount Bryce) wrote:

"No American ever did more to make more close and more tender the ties of affection that bind Britain and America together. No envoy ever left more friends, or warmer friends, behind.

"I can never forget the serene dignity and sweetness of his old age when, at Stockbridge, in the calm softness of an Indian summer, his friends gathered round him and Mrs. Choate, rejoicing to pay their homage, on the occasion of the Golden Wedding, to a life that had rendered such noble service to two great countries; and beside the memory of that softly declining day I place in thought the sunset that came five years later, when,

after welcoming the representatives of England and France, he passed from among us happy in the knowledge that that for which he had so earnestly hoped and striven had been achieved, and that his country had taken her stand as the champion of right and liberty in the greatest cause for which nations have ever fought."

Mr. Balfour wrote:

"I had the pleasure of Mr. Choate's friendship during the whole period of his Ambassadorship in London, which happened to fall within the time when I was Leader of the House and Prime Minister, and I was, therefore, brought into close touch with him not only in the sphere of private life, but in that of great international transactions.

"He was admirable both in his warmth of heart and his quickness of perception, and his humour made him a delightful companion; while in public affairs, his directness, his high sense of honour, his power of effectively expounding his own case and of rapidly grasping the case of those with whom he was dealing, made him a diplomatist of the first rank.

"Let me add that, beneath all the passing subjects of international interests, and sometimes of international difficulty, which from time to time occupied the attention of his Embassy, he perceived with unerring clearness the fundamental unity of ideals and of character which bind together America and Britain.

"Next to his own country, I believe he loved mine, and by his personality, not less than by his exertions, he earned the gratitude of the old world as well as of the new."

Colonel Roosevelt was one of the speakers, and said in course of his remarks:

"Mr. Choate while Ambassador to England rendered two types of great service. In the first place he was the kind of Ambassador who achieved the good-will so strikingly shown to-night, so strikingly proved to-night by the letters of Balfour and Bryce. That is no small service in itself. It is a curious thing that the ninety years' period during which—well, I don't know that it is so curious a thing; it is a lamentable thing; I will put it that way—that the ninety years' period during which Great Britain ingeniously showed toward America a hostility which usually irritated without cowing, has been succeeded by a fifty years' period during which the average American demagogue has sought publicity by being ill-mannered toward England; and under such conditions the service rendered by the men of the calibre of Choate as Ambassador are in themselves of great consequence to this country; of such consequence that we cannot afford to ignore them in our estimate of the worth of any Ambassador.

"In addition to this, however, Mr. Choate played a great and distinguished part in connection with three international matters of the highest consequence: the Alaska Boundary, the open door in China, and the Panama Canal. The open door in China was one of those diplomatic triumphs necessarily ephemeral, because it could only be permanent if backed by force; and we chose to delude ourselves into the belief that a 'scrap of paper' was of more permanent consequence than events proved. Nevertheless, it represented a real—a temporary, but a real—diplomatic gain of great

consequence, and Choate and Hay share the honor, not unequally, of that achievement."

A letter from President Eliot reviewed Mr. Choate's ancestry and life, and found in him "a fine type of nineteenth-century American manhood, and a shining example to that of the twentieth." Mr. Francis Lynde Stetson spoke at some length of him as a lawyer. "He was the head and heart," he said, "of much more than our bar. All honored him and those admitted to his intimacy loved him. In sincerity and love his own tribute to Rufus Choate may be repeated of him: 'Emerson most truly says that character is above intellect and this man's character surpassed even his exalted intellect and controlling all his great endowments made the consummate beauty of his life.' "

For the completest estimate of Mr. Choate as a lawyer we go to Mr. Root; to his address before the Bar Association of the city of New York, read at the Choate Memorial Meeting on December 20, 1917. Setting forth briefly the leading facts of Mr. Choate's life, Mr. Root went on:

"The forty-three years which elapsed between admission to the Bar in 1856 and the Embassy to Great Britain in 1899 were filled by the work of the pure lawyer. Neither business nor recreation nor politics nor any other interest diverted him from a continual and amazing activity in the trial and argument of causes. He was never an attorney. Circumstances and natural adaptation placed him from the beginning altogether upon the court rather than the office side of that line which exists in

the nature of things between the duties of the barrister and the duties of the solicitor, and made him an advocate.

"He was wise and resourceful in counsel, continually called into conference for opinion and advice, for the direction of conduct and avoidance of litigation; but the main business of his life was conflict at the Bar. In all branches of the law, civil and criminal, common law and equity, military, ecclesiastical, patent, probate, marriage and divorce, constitutional, international, before juries, judges at *Nisi Prius*, arbitrators, courts martial, statutory committees and commissions, in all tribunals where judicial functions were to be exercised, up to the Supreme Court of the United States, his potent voice was heard asserting and maintaining rights for more than sixty years. He achieved the most brilliant and distinguished success. He was the delight of juries who yielded gladly to his charm, and the pride of courts who felt the dignity of their office enhanced by his appearance before them. His discussion of great constitutional questions strengthened the foundations of our free institutions. His shining example was an inspiration to the Bar and the despair of emulation.

"The law reports presented continually accumulating evidence of the most substantial basis of a lawyer's reputation, for the reports of causes argued by him supported the judgment of those who heard or read the arguments that they exhibited a wide range of sound learning, extraordinary discrimination, capacity to divine crucial questions, and power of effective presentation. The reports gave evidence also of an extraordinarily high proportion of success in the causes tried and argued, continuing through so long a period of years as to be

conclusive proof of the possession of those solid qualities of advocacy which alone command enduring success. This great preponderance of success in litigation was notwithstanding the fact that for so many years of his life his conspicuous merit as an advocate brought to him great numbers of difficult and doubtful cases, in which the parties sought to overcome a probability of defeat by superiority of counsel. As the generations of the profession passed, traditions gathered about the path he had traversed,—stories of his great achievements, of brilliant attack and desperate defense, of wonderful cross-examination and masterful argument, of wise and witty sayings, of humor and satire, of imperturbable self-possession and poise, of swift insight, of courage and audacity, told by judges and lawyers and jurors and court officers, were repeated wherever lawyers gathered, and became a part of the common professional knowledge of the history of the Bar.

"As he grew older in the profession, his attention as a lawyer became less exclusively concentrated upon the interests of particular cases, and was broadened in scope to include the administration of justice as a whole. The public duties of the Bar, the ethics of the profession, the lessons of its history, the inspiration of its great examples, attracted more of his thought as his experience increased. In his addresses as President of the State and National Associations of the Bar, in his speeches to the Bar when from time to time it met upon casual occasions, in the memorials read before this Association, in his speeches to the Constitutional Convention, in many of his formal public addresses, first among which stands the noble address upon the unveiling of the statue of Rufus Choate in the Court House in Boston, he expressed so clearly

the underlying spirit and purpose of the American Bar, he represented with such cogency and command the Bar at its best of real devotion to justice and liberty, that the finest thought and feeling of the profession came to follow him, and to look to him as a leader, not merely because he tried causes more skilfully, or argued them more powerfully than others; but also, because he put the power and prestige of his great reputation in the courtroom behind the thrust of advocacy for the honor and public service of the Bar as a whole. He has told us what his conception of advocacy was and his whole life helped mightily to establish that high standard. He said:

" 'I maintain that in no other occupation to which men can devote their lives is there a nobler intellectual pursuit or a higher moral standard than that which inspires and pervades the ranks of the legal profession. To establish justice, to maintain the rights of man, to defend the helpless and oppressed, to succor innocence, and to punish guilt, to aid in the solution of those great questions legal and constitutional which are constantly being evolved from the ever varying affairs and business of men are duties that may well challenge the best powers of man's intellect and the noblest qualities of the human heart.'

"Thus, the recognition of power and promise which he commanded from his seniors in the 60's was gradually succeeded by universal admiration, deference, and pride in his leadership among the juniors of his later years. Wherever the class consciousness of the Bar of New York sought expression in the comradeship of social intercourse, in protest against abuse, in repelling assaults upon the administration of justice or demands for its

improvement, in concerted action upon any great public question, his came to be the sympathetic leadership, his the clear voice, the commanding authority, the unimpeachable representation of the noblest impulses of the profession. The great leaders and colleagues of his early and middle life passing from the stage left him alone without an equal or a rival, the most eminent, the most admired, and the most revered advocate and counsellor of the Bar, not only of New York but of our country.

"In this country of popular self-government, however, it did not satisfy him to be successful in the trial of causes, or to win the respect and admiration of the Bar alone. To be a great American lawyer in the broadest sense, one must be a great citizen, and Mr. Choate was that. He realized that our system of law striking its roots far back in the customs and struggles in which the liberties of England were developed, shaped by the fathers of the Republic to suit the conditions of a freer life, adapted from generation to generation to meet the new requirements of National growth, rests always upon the foundation of general public conviction that it is fit and adequate to secure justice and to preserve individual liberty. He knew that public respect for law, public confidence in the judicial system through which the law is administered, public faith in the wisdom and rightfulness of those great rules of conduct which we have written into our Constitutions for the limitation of official power in its relation to the life, the liberty, and the property of the private citizen, are essential to the maintenance of the most vital rights which from day to day we assert in the courts. He welcomed the privilege of the American lawyer not merely to insist upon the application

to his client's case of the principles of American law, but to assert and defend the principles themselves before the great governing body of American citizens who make and can unmake the law. He understood that American lawyers cannot rightfully be a separate body cultivating a mystery, that they ought to be an active part of the citizenship of the country sharing in the formation and expression of its opinion, in its social and political life, and by virtue of their special knowledge and training, leaders of opinion among their fellows in the community. He said to the Chicago Bar in February, 1898:

" 'But at all times, and especially in this our day, great public duties await us. So long as the Supreme Court exists to be attacked and defended (that sheet anchor of our liberties and of our Government), so long as the public credit and good faith of this great Nation are in peril, so long as the right of property which lies at the root of all civil government is scouted and the three inalienable rights to life, to liberty, and the pursuit of happiness which the Declaration of Independence proclaimed and the Constitution has guaranteed alike against the action of Congress and of the States, are in jeopardy,—so long will great public service be demanded of the Bar.

" 'Let us magnify our calling. Let us be true to these great occasions, and respond with all our might to these great demands, so that when our work is done, of us at least it may be said that we transmitted our profession to our successors as great, as useful, and as spotless as it came to our hands.'

"These functions of the American lawyer Mr. Choate performed with unwearying interest and devotion, and with signal distinction. He received from his Massachu-

setts ancestry and brought with him from his old Salem home a large measure of that amazing formative power, which, proceeding from the few scanty settlements on the Atlantic shore, has moulded this vast Continent with its hundred millions of people according to the course of the common law, and to conceptions of right inspired by the spirit of Magna Charta, and of the immortal Declaration of rights unalienable, to secure which governments are instituted.

"The blood in his veins, the influences of early environment, of education and training, the foundations of his political belief, all made impossible for him the conception of a free community in whose public affairs it was not the duty of every private citizen to take an active part. He took such a part as a matter of course, and with an effectiveness natural to his exceptional powers. His intense and instinctive patriotism made him keenly alive to the welfare of the Nation, and of the State and City in which he lived. The strain of labor in the Courts never prevented him from doing his full share both in government and in the public movements and private enterprises, through which a democratic community develops the best side of its nature.

"He was not a dreamer to reject the natural agency of political parties in popular self-government, and he did not hold himself aloof from the activities of the Party which seemed to him the best agent of government. He never changed or wavered in his political allegiance. He made his first public political speech for Frémont in 1856, and his last for Hughes in 1916; but he conceived of a political Party as an organization by which many citizens, agreed upon major questions of principle and policy, may give practical effect to their opinions in actual gov-

ernment. His interest was in the public effect of Party control, not in office or emoluments. His activity was in the leadership of opinion, not in Party management; he took little or no part in that. He sought no office, and he entered into no combinations. He held no Party office. I remember that moving some 40 years ago into a new neighborhood, and attending for the first time the Republican Association of the old 21st Assembly District, I found him there attending to his duties as a citizen; and he was there as one of the rank and file. He was always in the ranks. But, when the time of conflict came between opposing Parties or against misleading leadership in his own Party, when serious decisions were to be made by the instructed judgment and conscience of the people, then he was wont to come as a champion from the ranks with all the weapons in the armory of debate, with clarity of statement and destructive satire, and power of appeal, and charm of persuasion, against things sordid and corrupt, against the follies of ignorance and prejudice, against indifference and decadence and for the cause he deemed just, for the living spirit of American institutions.

"He did not reserve himself for great occasions and great efforts; but gave without reserve to the everyday activities which taken together fill so great a part of the life of the community. In the multitude of gatherings half public half social through which the members of a community are welded together in sympathy of good fellowship and of opinion, he played a leading part for almost half a century. It is hard to understand how any man engaged in the exhausting labors of a crowded professional life could find the strength and resiliency of body and mind to make speeches in vast number at

public dinners and luncheons and meetings for all sorts of objects, where he delighted and instructed the crowd year after year during his long active life; yet, he did so with undiminished brilliancy until the end. It would have been impossible but for a strong and active interest in the life of the world, in everything that went on in the community, and a genuine liking for the people among whom he lived, sympathy with their feelings, and understanding of their characters. He was never uninteresting. His wit and humor never obscured or belittled his serious thought, and his serious thoughts were never dull. He richly merited the great fame he acquired as an after-dinner speaker. In viewing that phase of his activity as a whole, it is plain that he made it the means of great influence and useful service. He promoted causes and institutions in which he was interested, and inspired in the tens of thousands who listened to him not merely admiration and grateful remembrance, but respect for his authority, and acceptance of his ideas.

"The reputation of many great lawyers is confined to their own profession; but the wide range of his activities extended a knowledge of his great abilities and commanding character to the public at large, and brought appreciation from the general body of good citizens. To achieve a commanding position in the public life of this great Country ordinarily requires the holding of high office. The office itself cannot give the holder such a position, but it carries to the minds of the great multitude who have to form their judgments chiefly upon hearsay, a presumption of a right to be heard in public affairs. The presumption may not be justified and may fade out of existence, but it is the door of opportunity, and few men acquire great public consideration with-

out it. Almost entirely without the aid of office, Mr. Choate acquired universal recognition as a great public character, a significant figure in the public life of his time, speaking with authority and entitled to leadership of opinion. This position was fully established before he was appointed Ambassador to Great Britain, and he was appointed to that office because of it. The basis of that great position was achievement at the Bar, and the devotion of powers trained at the Bar to the duties of a private citizen in the service of the community and the Country.

"Nature was very kind to him. She gave him a sound body, a constitution capable of enduring without injury the strain of long continued and severe effort, and a temperament which saved him from the exhausting effect of worries and fears and passions and vain regrets, and she gave him a physical presence most impressive and attractive. He was tall, fully six feet in height, slender and erect in his early years, broad shouldered, and carrying an impression of poise and balanced strength; the leonine head was set perfectly in its place, and his face was luminous even in repose with the beauty of intellect and nobility of character, sublimated and manifestly active and dominant. His voice was clear, pleasing to the ear, and far carrying. I do not recall that he ever strained it, or seemed to be forcing it unduly. He was never oratorical even in passages of greatest force and feeling. His manner was dignified and courtly, but perfectly simple and unaffected, and it was the same everywhere and to everybody. Forty odd years ago, when we were in the beginnings of a friendship which has been for me one of the chief satisfactions and joys of life, I used to think that he was the most beautiful and splen-

did specimen of manhood I had ever seen. I have revised my judgment upon this; for, after the Declaration of War with Germany, when he knew that the manhood and honor of his Country had re-asserted themselves, in the benign and radiant face with its lines of old experience and wisdom, made purer and gentler by trial and high endeavor, still alert with intelligence and feeling, shining with the joy of unselfish patriotism, and in the massive form bowed under the weight of a noble life, there was a beauty surpassing that of conquering youth; and the memory of it is a benediction.

"His mind was strong, well balanced, and wonderfully alert and rapid in action. Its response to the emergencies which so continually arise in court was instantaneous, and apparently intuitive. Extraordinary power of discrimination and a sense of material and crucial questions relieved him of the burden of bothering over immaterial matters, and enabled him to work with great ease. This faculty, combined with his vast experience, led some younger men who were with him as juniors to think that he worked very little; but that was a mistaken idea. He worked very hard and with great intensity, but he was happy in escaping the great mass of unnecessary work which most of us have to do. When he came to New York in 1855 he brought a letter from his father's cousin Rufus Choate to Mr. Evarts. He prized this letter very highly, and I am sure that he would not have exchanged it for any patent of nobility. I will reproduce it here:

"'My dear Mr. Evarts,

"'I beg to incur one other obligation to you by introducing the bearer my friend and kinsman to your kindness.

"'He is just admitted to our bar, was graduated at Cambridge with a very high reputation for scholarship and all worth, and comes to the practice of the law, I think, with extraordinary promise. He has decided to enroll himself among the brave and magnanimous of your bar, with a courage not unwarranted by his talents, character, ambition and power of labor. There is no young man whom I love better, or from whom I hope more or as much; and if you can do anything to smooth the way to his first steps the kindness will be most seasonable and will yield all sorts of good fruits.

Most truly,

Your servant and friend,

RUFUS CHOATE.'

"The particular expression of this letter which he valued most was the reference to his 'power of labor,' and he never regarded as a compliment the suggestion that he reached his results without the exercise of that power.

"This letter points to one of the chief influences in the development of his character and the direction of his life. No one who has watched his career and has read the address in which he paid his tribute to the majestic and lovable personality of Rufus Choate can fail to be convinced that widely as they differed in temperament and in their surroundings, admiration, and reverence for his great kinsman was one of the controlling influences of the younger life. Much as they differed, there was a striking resemblance in the standards of life, the intensity of application, the tenacity of purpose, the ardor of conflict, combined with the broad and kindly view, the strong sense of humor, the love of literature

and reliance upon its broadening and humanizing influence to correct the narrowing effect of exclusively professional interests, the impulse for public service and the intense love of Country: all these were found in both the older and the younger Choate. One was the spiritual successor of the other. Rufus Choate came to the Bar in the year 1823, and he continued for four years after his young relative's admission. Thus, for almost a hundred years these two men of the same name and family, products of the same influences, and inheritors of the same traditions and the same ideals, adorned and ennobled the American Bar, and each in his turn rose to great heights of honor and renown. The younger man was fortunate also in associating during the formative period of his career with really great leaders whose influence tended along the same lines of development. How could there be broader scope or loftier spirit than he found in Mr. Evarts, the advocate and statesman, eloquent, philosophical, delightful companion, the wittiest lawyer of his time, and Mr. Southmayd, the typical solicitor, learned, logical, cautious, independent in judgment, stubborn in opinion, caustic in expression. They were not merely partners, they were friends, and nothing could be more delightful than the intercourse between them.

"Our friend was enabled to use his intellectual power to the highest advantage by two qualities of the first importance. One was his clear and instinctive courage. He was wholly free from any impediment of timidity. This quality did not impress one as being the kind of courage which overcomes fear, but, rather, as a courage which excluded fear. With him, no such emotion as fear seemed to exist. The other closely allied quality

was a universal and invincible cheerfulness. In all my varied opportunities for observation for many years, he was the same. I never knew him to be sullen, or sour, or bitter, or cross, or fretful. He strongly condemned some things and some men with force and picturesque expression, but never with the least tinge of malevolence. He had his griefs, which sank deep in his heart, but his buoyant spirits and high courage forbade them to control his conduct; and, through them all, he presented the same bright and cheerful face to the world. He brought to the breakfast table always the same genial and cheery lifting of spirit which made him such a welcome guest at the banquet tables of New York. He was as lively and interesting with a dozen friends, or with one friend, as with five hundred, because he was entirely free from false pretence, and he was the same man with the public audience that he was with his close and private friends. He had a most serene and imperturbable temper. He never lost his self-possession or entire control of his powers. Safe upon this ground of vantage, he took special delight in making his adversary angry, and in reaping the benefits.

"He was a loyal and devoted friend, as he was loyal to every cause he espoused, and to every case he undertook; and he left no debt of friendship unpaid. No trouble was too great, no labor too arduous for him to help a friend. His power of satire and ridicule were terrible weapons, and he used them unsparingly, always most fatally when he was most gentle and childlike in manner. When engaged in battle he used all his weapons without respect of persons, and his thrusts often wounded his friends at the Bar more deeply than he probably knew. Yet, I think he never lost a battle through friendship,

or lost a friend through what he said or did in battle. It was impossible to cherish resentment against him. He fought as those gay and debonaire youths of Dumas, who drew their swords with alacrity, and, rejoicing in their skill, fought joyously upon all suitable occasions without anger or malice, to death or victory or eternal brotherhood. Before a jury he was a master of the art of appearing surprised, and of appearing indifferent; but nothing was further from his habit than personal display. Any one with his appearance and talents might be pardoned for thinking of so agreeable a subject as his own person; but he never appeared to do so. He was thinking always of his object, and carefully studying the minds and feelings of those to whom he spoke. He studied his juries, his judges, and his audiences with sympathetic insight, and his favorite method of capturing their judgment was by boldly invading the field of their personal experience and interest, making himself at home with them, and when he departed leaving his own ideas with his audience as a part of their household goods. He very seldom told a story. His wit and humor did not percolate through him from the *gesta Romanorum*, or from the pages of American humorists. They were the natural reaction of his own mind from his perception of the persons and events that surrounded him at the time. He was a fountain, not a conduit, of humor. His speeches were interesting because his way of looking at men and life was fresh and original.

"It is quite inadequate to say that he was always cheerful and interesting. He had in him something far beyond that, which I cannot describe to myself better than by calling it the eternal boy in him. He rejoiced in life. He spurned dull care. He bubbled over with

fun. He dearly loved a little boyish mischief. That was rather a dangerous faculty, but the danger gave it zest. There is an old story (I think it belonged to Mr. Evarts) of an American assuring an Englishman that Washington could throw a dollar across the Potomac because he had thrown a sovereign across the Atlantic. Mr. Choate would never have deigned to tell that ancient joke here, but when he got to England and before an English audience he could not resist the desire to see his English friends contemplating the aerial flight of their sovereign, and he told it I think several times. It befell me to sit near him at a famous St. Patrick's Day dinner, and he stopped at my chair and made a remark which indicated that he was having huge enjoyment with himself over something he was going to say. When he suggested that the Irish in America should redeem poor unhappy Ireland by going home, he was following the same kind of boyish impulse for mischief which leads school boys to carry their disconcerting pranks to the limit of audacity.

"He had great force and nobility and purity of character. He made the world his debtor by great usefulness in many fields. He deserved and received great praise and admiration for his achievements; but, after all, I think it was the delightful 'boy' in him that made us love him. It was that which, joined to his other qualities, made him so different from ordinary men. It was that blithe spirit which gave color and life and light to the whole character."

At the annual meeting of the New York State Bar Association, January 12, 1918, Judge Hughes presiding, Judge Alton B. Parker, Judge Cullen, Judge Ingraham,

Mr. John G. Milburn, and Judge A. T. Clearwater told their memories of Mr. Choate and appraised his qualities as lawyer, man, and friend. A minute prepared by Mr. Wickersham, Mr. Guthrie, and Mr. Root was adopted.

Out of Judge Clearwater's recollections came a story bearing on a side of Mr. Choate as to which information is somewhat to seek. Telling of casual foregatherings one summer with Mr. Choate and others at August Franzen's studio at Bar Harbor, Judge Clearwater said:

"One foggy morning there came up for discussion the failure of men to erect artistic and lasting monuments of the greatness of their achievements, Mr. Choate citing the ruins of the civilizations of antiquity, Nineveh, Babylon, Antioch, Corinth, and many other cities where such monuments had been erected and disappeared, and thus the conversation gradually drifted to the subject of immortality.

"In October, 1916, Rutgers College celebrated its one hundred and fiftieth anniversary, and decided to honor itself by conferring the Degree of Doctor of Laws upon Mr. Choate and other men of distinction. To me was assigned the duty of accompanying Mr. Choate to New Brunswick. Sitting in the Pullman on the way down, he reminded me of the conversation at Franzen's studio some years before, and said: 'Somebody, I think Frank Stetson, tells me you are attending a church at Kingston with which your family has been connected for two hundred and fifty years.' I said that was true. He said: 'As you are a trustee of Rutgers, I assume you are a Calvinist.' 'Well,' I said to him, 'I was born of a Calvinist family which has attended the Reformed Dutch

Church since the Reformation, a church which I have attended from my infancy, and I suppose I am a Calvinist.' 'Then,' said he, 'you believe in the immortality of the soul.' Now he said this with that compression of the lips and intensity of look which characterized his utterances when he was deeply in earnest. I said to him: 'You remember Stedman being at Franzen's studio when that subject was discussed.' He said he did very well. 'Well,' I said, 'when that portrait which you reviled was sent to my home at Kingston, Stedman and Franzen came up to visit us, and while they were there Stedman received from Thomas Wentworth Higginson a letter written by the Colonel on his eighty-fourth birthday in answer to one which Stedman had written congratulating him upon that event, and in that letter Colonel Higginson said that as the years went by, and the shadows lengthened, more and more he thought of the great question of the immortality of the soul. He had read the Darwins, Huxley, Spencer, Tyndall, Haeckel, and the other evolutionists and materialists, and there was a time in his life when he had discredited any notion of survival after death. Subsequently he had oscillated like a pendulum from unbelief to belief, and back again, but now as the time was approaching when he finally must solve the great problem, his mind was at rest. He believed that the soul of man survived physical death. That,' said I to Mr. Choate, 'is my experience and conclusion.' He put his hand on my knee, and said: 'Clearwater, I have pondered much and long over this great question. I, too, have read the evolutionists and the materialists, the ancients and the moderns. You know I was born and brought up in Salem, a singularly puritanical community, and always the atmosphere,

spiritual and intellectual, of Salem has to some extent influenced my life, but I, too, am of the view of Colonel Higginson, and have concluded, as I soon must solve that grave question, that man does survive physical death, that his soul is immortal.' Said he: 'Have you ever thought as you worship in that old church at Kingston that possibly the spirits of your long line of ancestors also were present? Don't misunderstand me,' said he, 'I don't for a moment believe there is any communication between the spirits of the departed and the living, but it may be possible that they do frequent the scenes of their former activities, especially the place where they worshipped.' He went on to talk most beautifully of the consolation afforded by a belief in immortality, of the emptiness of a life where such a belief was absent, of the vanity of human wishes and ambitions, the shallowness of worldly honors, and the absence of incentive to high and better living if man were destitute of a conviction that his soul was immortal.

"He received the degree at Rutgers amid the thunderous applause of the alumni and the undergraduates. We came back together, and parted late that afternoon at the Union League Club here in New York."

Of course Mr. Choate, who thought about everything, thought about immortality, and doubtless mused on it the more in those later years, when the shadows were lengthening for him, and the war's mortalities made every one ask himself what became of the dead. The talk at dinner on May 12, his talk with Judge Clearwater seven months earlier, and such allusions as are in his words about Mrs. Lowell, all suggest that having lived long as life goes, and done what he could and got what

he might, he felt that what he had got and done and been was not enough, and that further adventures lay before him. One writes "The End" to his biography, but that only means the end of a book.

THE END

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